

## **“EXHIBIT C”**

# **CEQA REQUIRED FINDINGS FOR THE BOB JONES PATHWAY (SAN LUIS OBISPO TO ONTARIO ROAD) ENVIRONMENTAL IMPACT REPORT**

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## **1.0 ENVIRONMENTAL DETERMINATION**

The Environmental Impact Report (EIR) was prepared, pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] §21000 et seq.), to evaluate the environmental impacts resulting from approval and implementation of the Bob Jones Pathway (San Luis Obispo to Ontario Road) (project). The County of San Luis Obispo (County) is the CEQA Lead Agency for the project.

The EIR addresses the potential environmental effects associated with the project. A number of federal, state, and local governmental agencies require an environmental analysis of the proposed project consistent with the requirements of CEQA in order to act on the project.

The findings and recommendations set forth below (Findings) are adopted by the County Board of Supervisors as the County's findings under CEQA and the CEQA Guidelines (California Code of Regulations [CCR] Title 14, §15000 et seq.) relating to the project. The Findings provide the written analysis and conclusions of this commission regarding the project's environmental impacts, mitigation measures, and alternatives to the project.

### **1.1 PROCEDURAL BACKGROUND**

Pursuant to CEQA and the CEQA Guidelines, the County determined that an EIR would be required for the project. On August 19, 2013, the County issued a Notice of Preparation (NOP) for the EIR which was circulated to responsible agencies and interested groups and individuals for review and comment. A copy of the NOP is included in Appendix A of the Bob Jones Pathway EIR.

The Draft EIR was available for public review and comment from August 20, 2013 through October 21, 2013, and was filed with the State Office of Planning & Research under State Clearinghouse No. 2010031121.

Based on the County's review of the comment letters received, as well as substantial input received at the public meeting on August 28, 2013, the County determined that one or more additional pathway alignments should be examined for viability in the EIR. As such, the County compiled a Revised Draft EIR (RDEIR) document to address the issues raised through the analysis of an additional alternative pathway alignment.

A Notice of Availability for the RDEIR was published in October 21, 2014, on the County's website and distributed to interested parties on the same date. The RDEIR was available for public review and comment from October 21, 2014, to December 8, 2014. A public meeting presenting the alternative was held on November 13, 2014 to present the new alignment and report the findings of the RDEIR.

The County prepared written responses to the comments received during both comment periods and included these responses in the Final EIR, which was published by the County on January 20, 2015. The Final EIR with responses was made available to all commenters.

## **2.0 PROJECT DESCRIPTION**

This section of the Bob Jones Pathway would result in a separated Class I trail, where possible, for a distance of approximately 4.5 miles between the Octagon Barn in south San Luis Obispo and the existing Bob Jones Trail at the Ontario staging area (near the Salisbury Winery at the intersection of Ontario Road and San Luis Obispo Creek). A description of the project location, project history, and project elements are discussed in the sections below.

### **2.1 GENERAL BACKGROUND**

#### **2.1.1 Project Location**

The proposed project is located in San Luis Obispo County, south of the City of San Luis Obispo and north of Pismo Beach, along Highway 101 (US 101). The proposed Bob Jones Pathway extension would begin just south of the City of San Luis Obispo adjacent to the Land Conservancy Octagon Barn (located on South Higuera Street) and continue south approximately 4.5 miles to the Ontario Road Staging Area (located near Highway 101 between Avila Beach Drive and San Luis Bay Drive on Ontario Road).

#### **2.1.2 Project Background**

The Bob Jones Pathway project has been in various stages of planning and discussion since the 1970s. The project alignment was first developed with the help of a team of stakeholders which selected a preferred alignment based on environmental constraints and project objectives. The preferred alignment was analyzed in a Draft Environmental Impact Report which was posted on the County's website and distributed to interested parties on August 19, 2013. Further, a public workshop was conducted on August 28<sup>th</sup>, 2013.

Based on the issues raised during the DEIR public review process, including comment letters and input at the public meeting, the County determined that one or more additional pathway alignments should be examined for viability in the EIR. As such, the County compiled a Revised DEIR document to address the issues raised through the analysis of an additional alternative pathway alignment. This analysis, referred to as Alternative 6, was presented in a revised Section 3.0 of the EIR. Alternative 6 eliminated the two South Higuera Street crossings, would minimize conflicts with farmland and would eliminate the Highway 101 overcrossing.

A Notice of Availability for the RDEIR was published in October 21, 2014, on the County's website and distributed to interested parties on the same date. The RDEIR was available for public review and comment from October 21, 2014, to December 8, 2014. A public meeting presenting the alternative was held on November 13, 2014 to present the new alignment and report the findings of the RDEIR.

In response to public comment on the RDEIR, Staff reviewed and considered a minor variation to Alternative 6, within Segment 2. Alternative 6 (with the variation) is the subject of these findings and the project being recommended to the Board of Supervisors for approval.

The project and Final EIR were scheduled and noticed for review by the Parks and Recreation Commission on January 22, 2015. The Commission discussed the project and opened public comment. The Commission unanimously recommended certification of the EIR and approval of the project to the Board of Supervisors.

## 2.2 PROJECT OBJECTIVES

The objectives of the project are to:

- Provide new and expanded recreation within the county consistent with the Parks and Recreation Element of the General Plan. (Goal 2, Objective B)
- Provide a viable multi-use trail system consistent with the Parks and Recreation Element of the General Plan (Goal 2, Objective C), which respects private property and uses and balances public resources, community concerns, and environmental protection.
- Provide a primarily Class I bicycle/pedestrian corridor that does not require excessive long-term maintenance costs due to design, location, or use.
- Provide an alternative transportation corridor connecting the City of San Luis Obispo, from the Octagon Barn, with the community of Avila Beach.
- Provide a safe and scenic bicycle/pedestrian route for a broad range of users (e.g., families, walkers, joggers, young cyclists, cycling enthusiasts, skaters, and the disabled).
- Maximize users' contact with the natural environment while avoiding environmental impacts.

## 2.3 PROJECT EVALUATED IN THE DRAFT EIR (ORIGINAL “PREFERRED” ALIGNMENT)

The proposed Bob Jones Pathway extension would begin just south of the City of San Luis Obispo adjacent to the Land Conservancy Octagon Barn (located on South Higuera Street) and continue south approximately 4.5 miles to the Ontario Road Staging Area (located near Highway 101 between Avila Beach Drive and San Luis Bay Drive on Ontario Road).

The “preferred alignment” as evaluated in the DEIR included the following basic elements:

- Segment 1: the alignment would entail two crossings of South Higuera Street, and a bridge crossing over San Luis Obispo Creek (SLO Creek).
- Segment 2: Class I and Class II pathway segments and drainage improvements.
- Segment 3: after crossing SLO Creek at the Bunnell Bridge the Class I pathway would proceed for approximately 3,000 feet adjacent to Baron Canyon open space lands east of the SLO Creek corridor, with 1,000 feet of unfenced area and 2,000 feet of t-post fencing.
- Segment 4: at the intersection of Monte Road and San Luis Bay Drive, a new crosswalk with three-way stop control would be installed. From the Monte Road/San Luis Bay Drive intersection, the Bob Jones Pathway would run south of and parallel to San Luis Bay Drive.
- Segment 5: path located to coincide with the farm road and an elevated overcrossing of Highway 101 is included.

Bicyclists currently ride between the City of San Luis Obispo and the Ontario Road staging area via a Class II (on-street) bike path located on South Higuera Street and Ontario Road. The existing Class II corridor is used by bike commuters as well as by recreational cyclists traveling to Avila Beach and as part of a longer-distance ride to the City of Pismo Beach or Five Cities area. The existing Class II corridor places bicyclists immediately adjacent to motorists and includes an at-grade crossing at the Ontario Road/San Luis Bay Drive intersection. This intersection presents existing safety concerns and is less than optimal for bicycle and

pedestrian traffic. Concerns at this intersection include the speed of traffic on San Luis Bay Drive; the number of queued motor vehicles on Ontario Road and the Highway 101 off-ramp; and the number of vehicles turning onto Ontario Road or onto the Highway 101 on-ramp. All these factors impact bicycle safety and the overall ease of bicyclists getting to the Ontario Road Staging Area and/or to the City of Pismo Beach.

The general character of the project area is agricultural with scattered residences. The adjacent hills, known as the Irish Hills, are a significant natural feature of this area. The majority of the proposed path would be separated from existing streets and parallel Highway 101 and the SLO Creek corridor. The pathway would be in a natural setting, with 50 percent of the route adjacent to orchards and fields.

## **2.4 REVISED/RECOMMENDED PROJECT**

As identified above, Alternative 6 (with Staff variation) is the project recommended for approval by the Board of Supervisors. The proposed project would consist of Class I and Class III pathway segments. Path widths are generally as follows:

- Class I: separated 12-foot trail including 2-foot shoulders on either side; the 12-foot section would likely be paved with asphalt and the shoulders would be base material.
- Class III: varying in width from 5.0 to 7.5 feet of shared use along existing road surface.

Class I segments would be constructed within 20-foot trail rights-of-way. Construction of the pathway would primarily occur within a typically narrow 30- to 60-foot wide construction disturbance zone on nearly level terrain. In some areas the construction disturbance zone would be wider, up to 140 feet wide, to include adjacent staging areas, such as required for assembly and installation of the pedestrian bridges. In several areas, the pathway would run parallel to and within 30 feet of the bank of SLO Creek and its riparian corridor. Some tree trimming at the riparian canopy edge would be required for construction access and to ensure adequate overhead clearance for bicyclists, where the trail parallels the creek corridor. Trimming and possible removal of some trees may be necessary for placement of bridge decks at the creek crossings. Each of the five design segments is described in detail below.

### **Segment 1: Octagon Barn to South Higuera Street Crossing**

Segment 1 of the new trail would begin at the Octagon Barn on South Higuera Street where a 10,000-square-foot trailhead with parking and other facilities would be constructed. The Land Conservancy of San Luis Obispo County is independently managing the development of the Octagon Barn Center. Site grading, development of parking, construction of restrooms, and development of bicycle parking adjacent to the restrooms would occur as part of the Octagon Barn Center project. The County and the Land Conservancy intend to work together for the development and maintenance of facilities located along the Bob Jones Pathway, on the Octagon Barn Center site.

Both the Octagon Barn Center project and the Bob Jones Pathway project are required to widen South Higuera Street and provide a left turn lane into the Octagon Barn Center site. The County and the Land Conservancy intend to work together for these street improvements. A Class I path would proceed southwest for approximately 300 feet with a

180- foot-long, 4-foot- to 6-foot-high retaining wall along the east side of South Higuera Street. The path would continue to run along the south/east side of the roadway before reaching the proposed South Higuera Bridge. The proposed South Higuera Bridge would allow the pathway to cross SLO Creek near the Filipponi Ecological Reserve. Proposed construction of the South Higuera Bridge (BR-A) would include:

- One 10-foot-wide by 50-foot-long earthfill approach ramp at 5 percent grade on either side of the SLO Creek crossing.
- Two 10-foot-wide by 50-foot-long prefabricated steel truss approach ramps at 5 percent grade on either side of the SLO Creek crossing, with proposed 5-foot landings every 50 feet on 3-foot diameter piers.
- One 15-foot-wide concrete abutment/landing on a 3-foot-diameter pier placed on either side of the SLO Creek crossing.
- One 10-foot-wide by 120-foot-long prefabricated steel truss bridge and one 10-foot-wide by 60-foot-long prefabricated steel truss bridge, both with deck elevations at 90 feet spanning SLO Creek.

## **Segment 2: South Higuera Street Crossing to Bunnell Crossing**

After crossing SLO Creek at the proposed South Higuera Bridge, the Bob Jones Pathway would proceed an additional 2,500 feet, between the east edge of South Higuera Street and the SLO Creek corridor at or near the top of bank, where it would reach the Maino property near the Highway 101 northbound off-ramp. Along this section, just north of Clover Ridge Lane, a 200-linear-foot by 3-foot-high retaining wall and curb would be added, as needed, where the west bank of SLO Creek slopes steeply toward the thalweg (low point of the channel).

Four existing 30-inch to 36-inch corrugated metal pipe (CMP) culverts conveying road drainage and runoff from South Higuera Street and Highway 101 to SLO Creek have deteriorated. These existing culverts would need to be repaired and replaced in the near future. An exposed and eroded section of an existing 36-inch concrete culvert, located approximately 1,500 feet south of the proposed South Higuera Bridge, would be restored with replacement piping, earthfill materials, and biotechnical slope protection.

At the southern end of this segment, the Bob Jones Pathway would be located within the Clover Ridge Lane right-of-way and would become a Class III pathway for approximately 1,300 feet with a split rail fence. Trailhead parallel parking is proposed along the west side of Clover Ridge Lane. The proposed parking spaces would be covered with a permeable surface (e.g., decomposed granite). The trail from the south end of Clover Ridge Lane to the proposed Bunnell Bridge would be a Class I path, for approximately 1,500 feet replacing a portion of an existing agricultural road with the installation of two new culverts and repair of one existing culvert as needed. Proposed construction of the Bunnell Bridge (BR-B) would be similar to that of the South Higuera Bridge, including:

- One 10-foot-wide by 50-foot-long earthfill approach ramp at 5 percent grade on either side of the SLO Creek crossing.
- Three 10-foot-wide by 50-foot-long prefabricated steel truss approach ramps at 5 percent grade on the northeast side relative to SLO Creek and four approach ramps of similar dimension on the southwest side relative to SLO Creek, with proposed 5-foot landings every 50 feet on 3-foot-diameter piers.

- One 15-foot-wide concrete abutment/landing on a 3-foot-diameter pier placed on either side of the SLO Creek crossing.
- One 10-foot-wide by 120-foot-long prefabricated steel truss bridge with deck elevation at 74.5 feet spanning SLO Creek.

### **Segment 3: Bunnell Crossing to San Luis Bay Drive**

After crossing SLO Creek at the Bunnell Bridge, Segment 3 of the Class I pathway, would proceed along the creek. At a location approximately 1,300 feet south of the crossing, the pathway would continue adjacent to Baron Canyon open space lands east of the SLO Creek corridor along an existing farm road, with 1,000 feet of unfenced area and 2,000 feet of t-post fencing.

At the approximate midpoint of Segment 3 in the Baron Canyon area, the pathway would shift to the south, crossing SLO Creek approximately 4,200 feet south of the Bunnell Bike/Pedestrian Bridge.

This bridge would be of a similar type as the other crossings along the proposed alignment, although the span would be longer (approximately 120 feet) due to creek conditions in this area. This bridge would be constructed from top of bank, with no center pier required. Past this new crossing, the pathway would dip westward turning south and ultimately following a route parallel to Highway 101. The pathway would be located on SLO Land Conservancy property and Gable property immediately adjacent to the Caltrans right-of-way, until reaching San Luis Bay Drive in segment 4.

### **Segment 4: San Luis Bay Drive Crossing**

At San Luis Bay Drive, the pathway would cross under the roadway. To pass under San Luis Bay Drive, a new bike/ pedestrian tunnel would be constructed under the roadway, which is elevated in this location. This 80-foot tunnel would connect to the pathway alignment to the south.

In addition to the tunnel, paved pathways would be included north and south of San Luis Bay Drive, east of the pathway, serving as trail access ramps to and from San Luis Bay Drive. These ramps are critical to allow trail access (and exit) in this location. The ramp pathways would also serve as pathway access and exit points during seasonal closures in Segment 5 caused by high creek flows under Highway 101, where users would be required to detour onto Ontario Road.

### **Segment 5: San Luis Bay Drive to Ontario Road Staging Area**

The final segment of the pathway, Segment 5, extends from roughly San Luis Bay Drive to the Ontario Road Staging Area. A Class I pathway would extend from the junction of Segment 4 and Segment 5, eventually traveling within or slightly west of an existing farm access road easement. This segment of the Class I pathway would be located to coincide with the farm road, thereby providing farm access on the east side of the road and bicycle/pedestrian access on the west side. Within this segment, four small 12-inch culverts would be installed along the pathway to allow sheet flow and drainage from Highway 101. At the Highway 101 Bridge at SLO Creek, the pathway would go under the highway and connect to the existing Ontario Road Staging Area.

The highway undercrossing would be located near the outer edge of the active SLO Creek channel floodplain (in the second bridge barrel on the north side of the bridges) near the Ontario Road staging area. The undercrossing structure would consist of an at-grade 12-foot wide, 6-inch thick unreinforced concrete slab in 12-foot long sections abutting the existing concrete structure along the north side of the bridge. The path would be at channel grade, and the slab would be placed on an aggregate base section. A 3-foot (minimum) trench, backfilled with ½ ton grouted rock, would be placed on one or both sides of the concrete slab to minimize scour and undermining of the pathway.

### **3.0 GENERAL FINDINGS**

#### **3.1 CEQA GENERAL FINDINGS**

- A. The County Board of Supervisors finds that changes or alterations have been incorporated into the project to eliminate or substantially lessen all significant impacts where feasible. These changes or alterations include mitigation measures and project modifications outlined herein and set forth in more detail in the Bob Jones Pathway – San Luis Obispo to Ontario Road EIR.
- B. The County Board of Supervisors finds that the project, as approved, includes an appropriate Mitigation Monitoring Program. This mitigation monitoring program ensures that measures that avoid or lessen the significant project impacts, as required by CEQA and the State CEQA Guidelines will be implemented as described.
- C. Per CEQA Guidelines §15126.4(a)(1)(B), the proposed project includes performance-based conditions relating to environmental impacts and includes requirements to prepare more detailed plans. The more detailed plans, which will be submitted during the construction phase, will refine the mitigation measures as needed. Conditions and mitigation measures contain performance-based standards and therefore avoid the potential for these conditions or measures to be considered deferred mitigation under CEQA.

#### **3.2 LEAD AGENCY AND RESPONSIBLE AGENCY USE OF THE FINAL EIR AND FINDINGS**

The County, as the CEQA lead agency, is responsible for administering the preparation of the EIR and certifying the Final EIR. The Board of Supervisors will use the Final EIR as an informational document to assist in the decision-making process, ultimately resulting in the approval, denial, or assignment of conditions to the project.

The CEQA Guidelines authorizes lead agencies (public agencies that have principal responsibility for carrying out or approving a project and for implementing CEQA) to approve a project with significant effects if there is no feasible way to lessen or avoid the significant effects and the project's benefits outweigh these effects. Responsible agencies (public agencies other than the lead agency that have responsibility for carrying out or approving a project and for complying with CEQA) have a more limited authority to require changes in the project to lessen or avoid only the effects, either direct or indirect, of that part of the project which the agency will be called on to carry out or approve (PRC §21104(c), §21153(c); CEQA Guidelines §15041(b), §15042).



### **3.3 THE RECORD**

For purposes of CEQA and these Findings, the Record of Proceedings for the project consists of the following documents and other evidence, at a minimum:

- Notice Of Preparation (NOP) and all other public notices issued by the County in conjunction with the proposed project;
- Final Environmental Impact Report (EIR) for the proposed project which consists of the Draft EIR, Revised Draft Environmental Impact Report (RDEIR), technical appendices, and the Response to Comments;
- Draft EIR;
- RDEIR;
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR and the RDEIR;
- All responses to written comments submitted by agencies or members of the public during the public review and comment period on the Draft EIR and the RDEIR;
- All written and verbal public testimony presented during noticed public hearings for the proposed project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program;
- The documents, reports, and technical memoranda included or referenced in the technical appendices of the Final EIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft, Revised and Final EIR;
- The Ordinances and Resolutions adopted by the County in connection with the project, and all documents incorporated by reference therein;
- Matters of common knowledge to the County, including but not limited to federal, state, and local laws, regulations, and policy documents;
- Written correspondence submitted to the County in connection with the project;
- All documents, County Staff Reports, County studies, and all written or oral testimony provided to or by the County in connection with the project;
- The County's Local Coastal Plan, General Plan, and related ordinances;
- All testimony and deliberations received or held in connection with the project; and,
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e) (excluding privileged materials).

### **3.4 CERTIFICATION OF THE BOB JONES PATHWAY EIR**

The County Board of Supervisors makes the following findings with respect to the Bob Jones Pathway Final EIR:

- A. The County Board of Supervisors has reviewed and considered the documents and other information listed in Section 2 above.
- B. The Final EIR has been completed in compliance with the California Environmental Quality Act (CEQA).
- C. The County Board of Supervisors has considered the information contained in the Final EIR, the public comments and responses currently and previously submitted, and the public comments and information presented at the public hearings.
- D. All information was considered by the Board of Supervisors before taking an action on the project.

E. The Board of Supervisors hereby finds and determines that:

1. All significant effects that can be feasibly avoided have been eliminated or substantially lessened as determined through the findings and supporting evidence set forth in Sections 7.0, 8.0, and 9.0.
2. Based on the Final EIR and other documents in the record, specific environmental, economic, social, legal, and other considerations make infeasible other project alternatives identified in the Final EIR.
3. Should Bob Jones Pathway approval have the potential to result in adverse environmental impacts that are not anticipated or addressed by the Final EIR, subsequent environmental review shall be required in accordance with CEQA Guidelines §15162(a).

## 4.0 STATEMENT OF OVERRIDING CONSIDERATIONS

The Final EIR has identified and discussed significant effects that will occur as a result of the project. With the implementation of the mitigation measures identified in the Final EIR, these effects can be mitigated to a level of insignificance. Therefore, no Statement of Overriding Considerations is required.

**IMPACT ANALYSIS:** Impacts of the proposed project and alternatives have been classified using the categories Class I, II, III, and IV as described below:

- **Class I:** Class I impacts are significant and unavoidable. To approve a project resulting in Class I impacts, the CEQA Guidelines require decision makers to make findings and a statement of overriding considerations that discusses as applicable the economic, legal, social, technical and other benefits of the proposed project against the unavoidable environmental risks. The proposed project has not resulted in any Class I impacts.
- **Class II:** Class II impacts are significant but can be mitigated to a level of insignificance by measures identified in the Final EIR and the project description. When approving a project with Class II impacts, the decision-makers must make findings that:
  1. Changes or alternatives to the project have been incorporated that reduce the impacts to a less than significant level, or
  2. That such changes or alternatives are within the responsibility and jurisdiction of another governmental agency and not the Lead Agency making the finding, and that such other governmental agency can and should adopt the required project changes or alternatives.
- **Class III:** Class III impacts are adverse but not significant. Mitigation measures may still be required for these impacts as long as there is rough proportionality between the environmental impacts caused by the project and the mitigation measures imposed on the project.
- **Class IV:** Class IV impacts would have a beneficial environmental impact.

## 5.0 FINDINGS FOR IMPACTS IDENTIFIED AS LESS THAN SIGNIFICANT

The findings below are for Class III impacts. Class III impacts are impacts that are adverse, but not significant. Pursuant to Section 15091(a)(1) of the State CEQA Guidelines, the Board of Supervisors finds that each of the following effects have been avoided or will have a less than significant impact, as identified in the Final EIR. The less than significant effects (impacts) are stated fully in the Final EIR. The following are brief explanations of the rationale for this finding for each impact:

### Agricultural Resources (Class III)

1. **Convert Prime Agricultural Land to Non-Agricultural Use.** The project is located in an area identified as containing important farmland and unique farmland. The proposed project is designed to avoid bisecting important farmland and limit physical impacts on farmland to the margins of existing agricultural operations and non-productive areas such as farm roads. The proposed project avoids significant conversion of agricultural land by avoiding known and existing agricultural operations, access points and equipment staging areas. Based on the location of the pathway and the minimization of impacts on prime land this impact would be considered a *less than significant* impact (Class III).
2. **Impair Agricultural Use of Other Property or Result in Conversion to Other Uses.** The project has been modified to align the pathway away from crucial operations, access points and farm staging areas. Final modifications to the proposal also avoid historic orchard areas. Through the design and review process, including field review and consultation with farm operations, the final alignment will not impair other properties or promote conversion to other uses. As such, this impact would be *less than significant* (Class III).
3. **Conflict with Existing Zoning or Williamson Act Program.** The San Luis Obispo County Agricultural Preserve Review Committee determined on October 30, 2006, that the proposed project would not impact the existing agriculture preserve (SWCA 2012a). Therefore, this impact would be *less than significant* (Class III).

### Air Quality (Class III)

1. **Violate Air Quality Standard or Exceed Emission Threshold.** Construction of the 4.5-mile pathway will be similar to the construction of a narrow country road. The project would be constructed in three phases, as funding becomes available and over six years. Each phase would take place over two-years, and there would be no overlap between phases. As such, it is estimated that the project would result in approximately 2.73 pounds of ROG at a minimum and 50.93 pound of ROG at a maximum. The project would also result in approximately 20 pounds of NOx a day overall, and 3 pounds of Diesel PM. This would not exceed the San Luis Obispo Air Pollution Control District's daily or quarterly thresholds for construction activities. As a pathway for non-motorized travel, stationary and mobile source emissions associated with operating the Bob Jones Pathway would be negligible. There would be no permanent stationary source emissions, and mobile source emissions would be associated with trips generated by users traveling to and from the trailhead. Therefore, potential impacts would be *less than significant* (Class III).

2. **Conflict with Applicable Plan, Policy, or Regulation.** The project area is located within the jurisdiction of the San Luis Obispo Air Pollution Control District (SLO APCD). The structures associated with the proposed project would not have full-time occupants. The project includes public restrooms, storage, bike storage facilities, creek crossings, highway undercrossing, and some benches. The proposed project is consistent with regional regulations because it would not exceed construction and operational emissions. The project would increase opportunities for biking and walking thus offsetting car trips. Potential impacts would be *less than significant* (Class III).
3. **Impact to Sensitive Receptors.** The only existing sensitive receptors in the vicinity of the construction zone are approximately four rural residential uses that are currently exposed to emissions generated by agricultural operations and/or mobile sources along adjacent roadways. Construction emissions generated by the proposed project would contribute to the existing conditions temporarily. Due to the linear nature of the project, construction activities would not occur in any one location along the pathway alignment for long periods of time. Since construction emissions would not exceed thresholds of significance and construction activities would occur for only short durations, the proposed project would not result in high pollutant concentrations that would warrant a health risk assessment.

The proposed project would introduce a sensitive receptor, a recreational pathway for users of all ages, adjacent to existing mobile sources of air pollutants. Although approximately 3 miles (70 percent) of the proposed pathway would be located within 500 feet of the Highway 101 corridor, the proposed project encourages reduced mobile source emissions, which would reduce exposure to a broader spectrum of sensitive receptors than just the pathway users. In addition, most of the pathway would be surrounded by riparian vegetation that would aid in filtering air pollutants and shield users from the mobile sources of air pollutants. Peak use of the recreation pathway would be during the weekends when vehicle trips on the adjacent freeway and mobile source emissions associated with those vehicle trips would be lower. Therefore, this would be a *less than significant* impact (Class III).

4. **Naturally Occurring Asbestos.** According to the SLO APCD, the project area is located within a candidate area for naturally occurring asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (CARB). Pursuant to CARB's (2008) Air Toxics Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities at the site, a geologic analysis is necessary to determine whether or not serpentine rock is present. Grading projects in serpentine rock larger than 1 acre will also require an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program to be submitted to the SLO APCD for review and approval. The County will be required to conduct a geologic evaluation to determine if NOA is present within the area to be disturbed. If NOA is not present, the County shall file an exemption request with the SLO APCD. If NOA is determined present within the area to be disturbed, then the County must comply with all requirements outlined in the asbestos air toxics control measure, which may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program, which would be subject to review and approval by the SLO APCD. The proposed project would not result in the generation of substantial toxic air contaminants. Therefore, the project would have a *less than significant* impact (Class III).

### Biological Resources (Class III)

1. **Critical Habitat.** The proposed project has the potential to impact riparian cover that helps steelhead to spawn. Nonetheless, the impacts on riparian cover would be considered minor and would not substantially affect the ability of steelhead to spawn, rear young, migrate, or feed in SLO Creek. Furthermore, implementation of mitigation measures MM 2.3-1a, MM 2.3-1d, and MM 2.3-4a through MM 2.3-4h would require implementation of the final Habitat Mitigation Monitoring Plan, which would include mitigation established by regulatory agencies (USACE, RWQCB, CDFW) for the SLO Creek corridor; that workers are made aware of potential special-status species in the area and that appropriate actions are taken upon discovery of a special-status species; and implementation of a series of relevant measures to protect of the steelhead and its critical habitat. Therefore, the proposed project's affect on critical habitat for the south/central California coast steelhead ESU would be considered a *less than significant* impact (Class III).

### Cultural Resources (Class III)

1. **Human Remains.** State of California Health and Safety Code Section 7050.5 addresses discovery of human remains by requiring that no further disturbance of a discovery occurs until the county coroner has made a determination of origin and disposition pursuant to Public Resource Code Section 5097.98. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). Compliance with state regulations would lessen any impacts to *less than significant* (Class III).

### Geology and Soils (Class III)

1. **Exposure to or Production of Unstable Earth Conditions.** According to the Official Maps of Earthquake Fault Zones delineated by the California Geological Survey through December 2010 under the Alquist-Priolo Earthquake Fault Zoning Act, the project area lies outside an Alquist-Priolo Earthquake Fault Zone (CDC/CGS 2010a). According to the SLO County Planning Department's Natural Hazards Map: Earthquake Fault Zone (2009), the nearest known active fault is the Los Osos Fault Zone, which is located northwest of the project area and runs in an east–west direction. Four of the 16 project parcels are located within a Geologic Study Area. These parcels include the southern portion of Segment 1, including the South Higuera Bridge crossing, and the northern portion of Segment 2 (Assessor's Parcel Numbers 076-061-075, 0761-121-018, -027, and -028). Typically, recreational pathways do not pose a significant seismic geologic hazard. However, the proposed project includes the construction of several bridge crossings and an undercrossing with associated ramps. Implementation of voluntary mitigation measure VMM 1.1 would require the preparation of a geologic report by a certified engineering geologist and/or registered civil engineer to ensure that all geological hazards are appropriately addressed through design. The report is required to identify, describe, and illustrate, where applicable, the potential hazard of surface fault rupture, seismic shaking, liquefaction, or landslide, and recommendations, which would be required to be incorporated in the project design, where applicable. The proposed project would not increase the risks associated with seismic hazards, and this is considered to be a *less than significant* impact (Class III).

2. **Soil Erosion or the Loss of Topsoil.** Earthwork would be required within the SLO Creek floodway to establish the pathway and protect existing abutments; the pathway would be located at the edge of the channel as far away as possible from the creek centerline. The pathway would be prone to accumulation of sediment and debris after storm events, and maintenance would be required to clear debris after storms. Such maintenance activities may result in secondary impacts associated with occasional mobilization and operation of machinery and clearing equipment. The trail may also be subject to seasonal closure at San Luis Bay Drive based on creek flows.

Project design under the existing highway bridge would require trenching with rock rip-rap to protect against scouring action and undermining of the pathway, as well as existing bridge support structures. In addition, there is high groundwater (at an elevation of approximately 21 feet) (Caltrans 2006b) at the undercrossing in Segment 5, so any excavation would require additional treatment to accommodate high groundwater and protect water quality during construction. An erosion control plan and stormwater pollution prevention plan (SWPPP) is required prior to construction as outlined in the MMRP. The SWPPP shall include implementation of erosion control measures during construction and post-project construction. Erosion control measures would include installation of silt fencing, fiber rolls, and barriers (e.g., hay bales). Adequate dust control techniques, such as site watering, are also required during construction. These measures ensure that the potential for soil erosion or loss of topsoil would be minimized. Further, incorporation of voluntary mitigation measure VMM 1.1 into the project minimizes the potential for long- and short-term erosion. Therefore, the project impacts would be *less than significant* (Class III).

3. **Unstable Soils.** Based on the Soil Survey of San Luis Obispo County, California, Coastal Part soil survey maps, eleven soil units are present within the general area of potential effect (APE). Out of these soils the Diablo and Cibo Clays (131) soils, which represent approximately 3.2 percent of the area of potential effect (or 4.71 acres), have high shrink-swell potential. Because the proposed project is a pathway, the potential for exposing life and property to substantial risk would be minimal. The highest risk areas would be near the bridges. Construction would require geologic reports that would ensure that all geological hazards, including unstable soils, are appropriately addressed and recommendations are incorporated in the design of the project where applicable. Therefore, the soils associated with the proposed project would have a *less than significant* impact (Class III).

### **Hazards and Hazardous Materials (Class III)**

1. **Risk of Explosion, Release, or Exposure to Hazardous Substances.** Construction activities would use hazardous materials such as gasoline and diesel, oils and lubricants, paints and paint thinners, cleaners, etc. The types and amounts of hazardous materials used during construction activities would vary according to the type of activity. Development of the proposed project would comply with all federal, state, and local regulations governing the use, storage, transportation, and disposal of hazardous materials during construction activities. Therefore, the proposed project would not result in a significant hazard to the environment (or construction personnel) through the release of hazardous materials during construction.

The primary off-site sources of hazardous materials would be from the transportation of hazardous materials along Highway 101 and agricultural operations on adjacent

fields/orchards. The pathway does not result in unique risks or hazards related to the highway. Further, the project site is not located within 0.25 mile of an existing or proposed school, and is not included on the Cortese List or any other list of hazardous materials sites and would not create associated risks to the public or environment. Therefore, the potential to expose people to off-site hazardous materials incidents would be a *less than significant* impact (Class III).

2. **Interfere with Emergency Response or Evacuation Plan.** Emergency response times to the project area vary from 5 to 15 minutes. Because the proposed project is a pathway, it would not interfere with emergency response or evacuation. No impacts on emergency response or evacuation plans will occur.
3. **Airport Flight Patterns.** According to SLO County zoning data, seven of the parcels within Segments 1, 2, and the northernmost 3,000 feet of Segment 3 are located within an AR (Airport Review) area. Non-public facilities development on these properties would be subject to Federal Aviation Administration height restrictions must be consistent with the applicable County Airport Land Use Plan (Oceano and/or San Luis Obispo). The proposed project is a public facility that would not result in people working or residing within an airport safety hazard area nor conflict with the Federal Aviation Administration height restrictions; therefore, this would be a *less than significant* impact (Class III).
4. **High Fire Risk.** According to SLO County zoning data, most of the Area of Potential Effect is located within a moderate to high fire hazard area. The structures associated with the proposed project would not have full-time occupants. These structures would include restrooms, storage, bike storage facilities, creek crossings, highway undercrossing, and some benches. Users would be generally moving through the project site, and their presence would be short-term and temporary. Therefore, the proposed project's potential risk of loss, injury, or death to people or structures would be a *less than significant* impact (Class III).

#### **Hydrology and Water Resources (Class III)**

1. **Impact Water Quality Standards or Waste Discharge Requirement.** The proposed project would include construction of restrooms at the trailhead at the Octagon Barn Center. These restrooms would be vault restrooms, and the existing collection and treatment system has ample capacity to accommodate the project. As discussed under Geology and Soils, project design under the existing highway bridge would require trenching with rock rip-rap to protect against scouring action and undermining of the pathway, as well as existing bridge support structures. Rock-filled trenches 3 feet deep on each side of the path would prevent scour along the pathway. Due to high groundwater (at an elevation of approximately 21 feet) (Caltrans 2006b) at the undercrossing in Segment 5, any excavation for trenches and base material would require additional treatment to accommodate high groundwater and preserve water quality during construction. The project will comply with all applicable state and federal regulations. Therefore, the proposed project would not violate any waste discharge requirements and would not impact water quality standards, and this would be a *less than significant* impact (Class III).
2. **Deplete Groundwater Supplies.** The only potable water required by the project is associated with irrigation in areas where it would be necessary to establish landscaping.



This increased water demand would be negligible and would not substantially deplete groundwater supplies, and the project itself would not substantially interfere with groundwater recharge. Therefore, the proposed project's impact on groundwater resources would be a *less than significant* impact (Class III).

3. **Alter Drainage Patterns.** The project could affect the volume and direction of SLO Creek at two key locations: 1) at the new Baron Canyon Bridge location, and 2) at the Highway 101 undercrossing. Supporting analysis is contained within the Bob Jones Location Hydraulic Study, as revised (Questa Engineering, July 2014). This information is included as an appendix to the RDEIR. At the new Baron Canyon Bridge location, the water surface elevations immediately upstream from the bridge would be approximately 0.5 feet higher than existing conditions. Questa notes that the findings represent a conservative modeling approach, which underestimates the amount of bridge opening area (which in turn likely overestimates modeled surface water elevations). The potential 100-year flooding impacts of this bridge are greater than those of the other bridges evaluated. However, this bridge is in a rural/agricultural area and no existing or habitable structures would be impacted by the potential rise of surface waters during storm events. Construction of the bridge would not cause flooding of Highway 101; however, flooding depths on Monte Road, which currently does flood, could increase by several inches. The proposed Baron Canyon Bridge would result in slightly greater impacts with respect to rises in surface elevations at San Luis Bay Drive. Mitigation measures to control runoff and minimize erosion would be applicable for construction activities as outlined in the MMRP.

Impacts to drainage and existing hydraulics associated with the Highway 101 undercrossing would be minimal. Since the concrete pad pathway for the proposed project is located at channel grade, there would be no hydraulic or increased flooding impacts caused by the pathway undercrossing the highway. Based on the Location Hydraulic Study (Questa Engineering, July 2014), channel hydraulic information at his location supplied by Caltrans and discussions with Caltrans' hydraulic engineer, no new hydraulic analysis would be necessary for the project.

Project impacts as they relate altering drainage patterns would be *less than significant* (Class III), as there is no evidence to suggest that the changes in drainage patterns would exceed CEQA significance thresholds.

4. **Create Additional Runoff and Degrade Water Quality.** The proposed project would result in work near SLO Creek and introduce new impervious surface area for the pathway. The proposed project includes voluntary mitigation measure VM 1.1, which would minimize the amount and rate of off-site runoff, and incorporate best management practices during and post construction. As discussed in Section 2.3, Biological and Natural Resources of the DEIR, implementation of mitigation measures MM 2.3-4a, MM 2.3-4f, and MM 2.3-4h would require a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW); coordination with the State Water Resources Control Board and Regional Water Quality Control Board (SWRCB/RWQCB) regarding the need for a Section 13263(a) general waste discharge requirement (WDR); and implementation of a Hazardous Materials (HAZMAT) Response Plan, erosion control plans, and a stormwater pollution prevention plan (SWPPP). Therefore, any runoff generated by the proposed project would not result in substantial erosion, siltation, flooding, or contamination, or otherwise substantially degrade water quality. This would be a *less than significant* impact (Class III).

5. **Expose structures to risk due to flooding.** The proposed project undercrossing is located within the active floodplain of SLO Creek, and it would need to be closed for weeks at a time during periods of creek high flow. Each year the operators of the trail would need to clear the concrete pad pathway of debris and sediment and make any necessary repairs. The closing of the pathway would not place people in harms way due to flooding. As described above the operational and maintenance issues are not an environmental impact under CEQA and this impact would be *less than significant* (Class III).

### Land Use and Planning (Class III)

1. **Conflict with Applicable Plans, Policies, or Regulations Adopted to Avoid or Mitigate Environmental Effects.** The proposed project with implementation of mitigation measures provided would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Potential impacts to aesthetics/visual resources, agricultural resources, biological resources, cultural resources, and traffic and circulation have been addressed through implementation of mitigation measures provided herein. In addition, the project includes a series of voluntary measures and design features consistent with Appendix F of the Parks and Recreation Element of the General Plan. Therefore, this would be a *less than significant* impact (Class III).
2. **Potential Inability to Obtain Easements on Private Land.** Implementation of the proposed project would result in development of a pathway that would require obtaining easements on private property, some of which is in active agricultural production. The potential exists that the County may not be able to obtain all necessary easements to develop the preferred alignment. However, the acquisition of easements is an important implementation step for the project, but is not inherently an environmental issue under CEQA. Therefore, this would be a *less than significant* impact (Class III).

### Noise (Class III)

1. **Generate Increases in the Ambient Noise Level.** The project is located in an area with sparse rural residential land uses, which may be sensitive to noises. Due to the proximity of the preferred pathway alignment to existing sensitive noise receptors, surrounding vegetation, and existing noise ambient levels, the noise levels associated with the proposed project would not result in a substantial permanent increase (greater than 5 dB) in ambient noise. The proposed project would result in construction of a public recreation facility, which would be a public park; therefore, it would be exempt from the fixed source or use noise standards. In addition, implementation of voluntary mitigation measure VMM 1.1 would minimize noise impacts by limiting the hours of construction consistent with the County Noise Ordinance. Where construction activities would occur near sensitive receptors, construction hours shall be limited to between 7 AM and 9 PM Monday through Friday and between 8 AM and 5 PM on Saturdays and Sundays. Therefore, this would be a *less than significant* impact (Class III).

### Public Services (Class III)

1. **Fire and Emergency Response.** The proposed project would not result in an increased demand for fire protection that would require new facilities to maintain service response ratios. Most of the project area is in a moderate to high fire hazard area. Fire protection to the area is provided by CALFIRE/San Luis Obispo County Fire, and response times

vary from 5 to 15 minutes. The proposed project would not result in the construction of any major structures that would result in an increase in population or a substantial increased demand for emergency services. Although the project would increase recreational opportunities and users in the area, the increase in recreational users would not require new fire emergency facilities or additional staff. Therefore, this would be a *less than significant* impact (Class III).

2. **Police.** The proposed project would not result in an increased demand for police protection that requires the need for new facilities in order to maintain service response ratios, or the physical construction of such facilities. Police protection within the project area is provided by the San Luis Obispo County Sheriff's Office. The proposed project would construct a pathway, which is typically not a land use that results in an increased demand for police protection. However, it would expand public accessibility to adjacent agricultural fields and otherwise unpopulated areas, increasing the potential for crimes associated with trespassing onto private property, which in turn may generate additional calls or patrolling of the area by the Rural Crime Unit. The project includes fencing between the pathway and along sections of agricultural land to deter trespassing, but no amount of fencing would fully eliminate the potential for trespass. Mitigation measures provided in Section 2.2, Agricultural Resources of the DEIR, are provided to reduce potential conflicts between agricultural operators and nonagricultural users by requiring preparation of a Farmland Conflict Reduction Plan, which includes methods for minimizing trespassing and disturbance by trail users, and requires signage at the trailheads that warns trail users to stay on designated trails, and prohibits picking. These measures would help minimize the potential for trespassing and increased demand on the Rural Crime Unit. The proposed project would not result in an increased demand for police protection that requires the need for new facilities in order to maintain service, or the physical construction of such facilities. This would be a *less than significant* impact (Class III).

#### **Recreation (Class III and Class IV)**

1. **Physical Impacts due to expansion of Recreational Facilities.** The proposed project would result in the construction/expansion of a recreation facility that may potentially result in physical impacts to the environment and would likely increase the use of the previously completed 2.25-mile section of the Bob Jones Pathway. The construction/expansion of this recreation facility would result in physical impacts to the environment. Potential impacts would be limited to aesthetics/visual resources, agricultural resources, biological and natural resources, cultural resources, land use and planning, and traffic, which would all be reduced to a less than significant level. Therefore this impact would be *less than significant* (Class III).
2. **Increase Use of Recreational Resources** The proposed project is a programmed improvement; therefore, the increased use on the existing section of pathway has been anticipated, intended, and planned for and would not be considered substantial. Because this facility would be implemented as planned and would provide a clear recreational benefit, this would be a *beneficial* impact (Class IV).

#### **Utilities and Service Systems (Class III)**

1. **Wastewater and Demand for Treatment.** The proposed project would not result in an increased demand for treatment or conveyance of wastewater and/or potable water that would result in the construction or expansion of existing or new facilities. The only water

demand would be associated with restrooms at the trailhead near the Octagon Barn Center, which would not exceed the capacity of existing entitlements for the Octagon Barn Center property. The proposed project would not be connected to a stormwater drainage system nor require the expansion of gas or electric service. In addition, the proposed project would not generate solid waste to a level that would exceed the permit capacity of the landfill. Section 8.12.250 of the San Luis Obispo County Code requires the placement and maintenance of litter and recycling receptacles in accordance with Section 17830 of Title 14 of the California Code of Regulations. For these reasons, impacts to utility and service systems would be *less than significant* (Class III).

#### **Transportation, Circulation, and Traffic (Class III)**

1. **Conflict with an Applicable Plan, or Policy including the Congestion Management Plan.** Implementation of the proposed project would result in development of a pathway that is identified in the 2010 Regional Transportation Plan-Preliminary Sustainable Communities Strategy and would support the use of alternative methods of transportation. Therefore, the proposed project is in compliance with applicable plans and policies, and potential impacts would be *less than significant* (Class III).
2. **Pedestrian and Bicycle Facilities.** The proposed project has been planned in coordination with the San Luis Obispo General Plan Parks and Recreation Element (PRE), San Luis Obispo County Bikeways Plan 2010 Update, and Regional Transportation Plan-Preliminary Sustainable Communities Strategy (RTP-PSCS). Therefore, the proposed project would not conflict with any adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities and this would be a *less than significant* impact (Class III).

## 6.0 FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT BUT MITIGABLE (CLASS II)

Pursuant to §15091(a)(1) of the CEQA Guidelines, the Board of Supervisors finds that, for each of the following significant effects as identified in the Final EIR, changes or alterations (mitigation measures) have been required in, or incorporated into, the project which avoid or substantially lessen each of the significant environmental effects as identified in the Final EIR. The significant effects (impacts) and mitigation measures are stated fully in the Final EIR. The following are brief explanations of the rationale for this finding for each impact:

### 6.1 AESTHETIC RESOURCES

AES Impact 2.1-1	
Implementation of the proposed project would result in the removal of vegetation, disturbance of land, and development of a new pathway, and three bridge crossings of SLO Creek, which would substantially damage scenic resources within a scenic highway.	
<b>Mitigation</b>	<p><b>MM 2.1-1a</b> For land within the project's footprint under the County's jurisdiction, the County shall retain a qualified professional to select appropriate native plant materials (i.e., ground cover for pathway shoulders, shrubs and trees for areas where these plants have been removed in the area of proposed bridges) that will cover graded cut and fill slopes and that are compatible with adjacent vegetation to minimize visual impacts. Selected species shall be compatible with the requirements of the Environmental Coordinator, or its designee. Landscape and planting plans shall be submitted to San Luis Obispo County Parks and the Environmental Coordinator, or its designee, for review and approval prior to start of construction. Re-vegetation of disturbed areas shall occur concurrent with construction. The San Luis Obispo County Environmental Coordinator or its designee shall be responsible for mitigation monitoring to ensure mitigation planting is installed and maintained for five years.</p> <p><b>MM 2.1-1b</b> For land within the project's footprint under Caltrans jurisdiction, the County shall select appropriate plant materials that will cover graded cut and fill slopes and that are compatible with adjacent vegetation to minimize visual impacts. Selected species shall be compatible with Caltrans requirements and landscape standards. Plans shall be submitted to Caltrans or its designee for review and approval prior to start of construction. Re-vegetation of disturbed areas shall occur concurrent with construction. The San Luis Obispo County Environmental Coordinator or its designee shall be responsible for mitigation monitoring to ensure mitigation planting is installed and maintained for five years.</p>
<b>Findings</b>	After implementation of the mitigation measures, the proposed project impacts would be <i>not significant with mitigation</i> (Class II).
<b>Supportive Evidence</b>	<p>This section of Highway 101 is not a designated State Scenic Highway. However, the EIR notes that the COSE suggests that this roadway be designated a scenic corridor, and that the County has adopted Highway Corridor Design Standards for portions of Highway 101, which are applicable to certain portions of the project. Development of the proposed project would potentially result in both short- and long-term effects on scenic resources in the area due to removal of vegetation and introduction of new visual elements into the viewshed.</p> <p>Short-term impacts would result from project construction. Construction activities associated with the proposed project will include, but not be limited to, grading and earthwork, paving, vegetation removal, and revegetation. These construction activities will be visible to travelers on South Higuera Street, Ontario Road, and Highway 101 at multiple locations.</p> <p>Most of the proposed project would not result in visually prominent development features that would adversely affect scenic resources. Most of the route will remain screened from view and subordinate to the surrounding landscape. The primary visual components of the</p>

AES Impact 2.1-1	
	<p>proposed Bob Jones Pathway, which would have long-term impacts include the pathways itself; grading and landscaping on each side of the pathway, which would disturb an area approximately 12 to 20 feet wide; and three bridges over SLO Creek.</p> <p>While the project could have short –term impacts on scenic resources within the project area proposed mitigation measures and VMM 1.1 would minimize aesthetic impacts by requiring adequate landscaping and screening. The project’s visual effects will be fully mitigated through design and plan review.</p>

AES Impact 2.1-2	
Implementation of the proposed project would substantially degrade the existing visual character or quality of the project area.	
<b>Mitigation</b>	<p><b>MM 2.1-2a</b> The County shall design the proposed bridge structures and pathway improvements in accordance with the Highway Corridor Design Standards, where applicable. In addition, the bridge structure at the SLO Creek crossing within Segment 2 (Bunnell Bridge) shall have a maximum height limit that does not exceed an elevation of 80 feet (North American Vertical Datum 88 (NAVD88)), which equates to roughly 8 feet above the adjacent northbound Highway 101 lane, in order to reduce the vertical dimension of the structure and the potential for visual intrusion into the viewshed.</p> <p><b>MM 2.1-2c</b> The County shall prepare a landscape plan that provides maximum feasible screening of all new structures (i.e., bridges, ramps, retaining walls) when seen from adjacent roadways. New trees shall be planted in conformity with County lists and shall be compatible with adjacent vegetation to supplement the screening of the bridge structures as seen from Highway 101 and San Luis Bay Drive. The design shall be prepared by a qualified professional and plans shall be approved by the Environmental Coordinator, or its designee, prior to start of construction. All revegetation and planting shall be implemented concurrent with project construction. The Environmental Coordinator, or its designee, shall be responsible for mitigation monitoring to ensure mitigation planting is installed and maintained for five years.</p>
<b>Findings</b>	After implementation of the mitigation measures, the proposed project impacts would be <i>not significant with mitigation</i> (Class II).
<b>Supportive Evidence</b>	<p>Short-term impacts would result from project construction. Construction activities associated with the proposed project will include, but not be limited to, grading and earthwork, paving, vegetation removal, and revegetation. These construction activities will be visible to travelers on South Higuera Street, Ontario Road, and Highway 101 at multiple locations.</p> <p>Most of the proposed project would not result in visually prominent development features that would adversely affect scenic resources. Most of the route will remain screened from view and subordinate to the surrounding landscape. The primary visual components of the proposed Bob Jones Pathway, which would have long-term impacts include the pathway itself; grading and landscaping on each side of the pathway, which would disturb an area approximately 12 to 20 feet wide; and three bridges over SLO Creek. It should be noted that the project in it’s final/approved form eliminates the San Luis Bay Drive SLO Creek crossing. Thus MM 2.2-1b is no longer applicable to the project.</p> <p>Although the project would introduce new visual elements into the viewshed, the implementation of mitigation measures would minimize alterations to the character of the</p>

AES Impact 2.1-2	
	area. The character of the area would be consistent with a recreational facility as planned in the County's transportation plans. It is also important to note that the project in its final/approved form has eliminated the overcrossing of US 101, which was an area of controversy associated with the original project. Findings are evidenced by high quality design of the truss bridges over the creek and the requirements for implementation of approved landscape plans.

## 6.2 AGRICULTURAL RESOURCES

AG Impact 2.2-3	
Implementation of the proposed project may result in the disruption of and/or conflicts with existing agricultural operations.	
<b>Mitigation</b>	<p><b>MM 2.2-3a</b> Prior to commencing construction, the County, in coordination with property owners and the San Luis Obispo County Department of Agriculture, shall develop and implement a Farmland Conflict Reduction Plan. The Farmland Conflict Reduction Plan shall be subject to review and approval by the San Luis Obispo Environmental Coordinator and shall include, at a minimum:</p> <ol style="list-style-type: none"> <li>1. Methods for minimizing trespassing and disturbance by trail users;</li> <li>2. Procedures for minimizing pesticide exposure (notification, pathway closure, etc.);</li> <li>3. Rules to minimize conflicts between domestic animals and livestock;</li> <li>4. Establishment of potential temporary pathway closure procedures; and</li> <li>5. Examples of the signage, striping, and fencing required.</li> </ol> <p><b>MM 2.2-3b</b> As part of the Farmland Conflict Reduction Plan required through implementation of mitigation measure MM 2.2-3a, the County shall provide signage that describes the importance of the local agricultural lands and educate the public/users how to respect the surrounding important resources and reduce conflicts, including, but not limited to, the following:</p> <ol style="list-style-type: none"> <li>1. Staying on designated trails;</li> <li>2. Maintaining control of domestic animals;</li> <li>3. Minimizing litter/waste;</li> <li>4. Prohibiting picking of crops; and</li> <li>5. Prohibiting the feeding of or contact with livestock.</li> </ol> <p>Signage shall be located at the trailheads and along portions of the pathway that are located adjacent to large private agricultural land holdings. All signage shall be installed prior to public use of the trail.</p> <p><b>MM 2.2-3c</b> As part of the Farmland Conflict Reduction Plan required through implementation of mitigation measure MM 2.2-3a, the County shall design the pathway alignment to avoid agricultural roads to the greatest extent feasible by locating the pathway alignment within existing rights-of-way and/or on ruderal lands. In addition, pathway alignment and intersections shall be designed to minimize conflicts with agricultural operations through use of deterring devices such as fencing, striping, signage, bollards, and paving. Pavement and intersection development standards shall be identified and accommodate use by agricultural machinery and vehicles at all pathway/agricultural road intersection locations in order to minimize maintenance requirements where the pathway crosses agricultural roads. All methods of reducing conflict shall be demonstrated on final construction documents and will be subject to review and approval by the San Luis Obispo Environmental Coordinator.</p> <p><b>MM 2.2-3d</b> As part of the Farmland Conflict Reduction Plan required through implementation</p>

<b>AG Impact 2.2-3</b>	
	<p>of mitigation measure MM 2.2-3a, circumstances that require temporary pathway closure shall be clearly defined. Such circumstances may include routine maintenance, agricultural spraying, or potential and/or actual flood conditions. The timing of and average duration of routine temporary closures shall be clearly defined in the Farmland Conflict Reduction Plan. Every effort shall be made to schedule temporary pathway closures during non-peak pathway usage periods, which are typically weekends, holidays, and commute hours. Any temporary closures shall be clearly posted at the trailheads, parking areas, and point of closure. The notification shall identify the reason for the closure, time and date of closure, and duration of closure. Signage shall be posted at least 24 hours prior to closure and removed immediately upon the identified duration or being cleared for re-opening by the San Luis Obispo Environmental Coordinator.</p> <p><b>MM 2.2-3e</b> Prior to commencement of grading activities, the County shall ensure that final construction documents include the requirements of the Farmland Conflict Reduction Plan and that the design is consistent with Appendices B, E, and F of the County of San Luis Obispo General Plan - Parks and Recreation Element. Plans shall be subject to review and approval by the San Luis Obispo County Environmental Coordinator.</p>
<b>Findings</b>	After implementation of the mitigation measures, the proposed project impacts would be <i>not significant with mitigation</i> (Class II).
<b>Supportive Evidence</b>	<p>The project is located in proximity to agricultural land uses, and landowners in the vicinity of the proposed project have expressed concern related to project impacts on surrounding agricultural operations. The proposed mitigation measures would minimize disruption of existing agricultural access roadways by requiring a coordinated effort to prepare a plan that educates users on ways to respect and appreciate the importance of agriculture in the area; design the final alignment to minimize disruption of existing agricultural operations ensure that domestic pets do not contaminate agricultural products; and ensures that the measures of the plan and San Luis Obispo General Plan Parks and Recreation Element are incorporated into the final design drawings. The Farmland Conflict Reduction Plan contains specific performance based measures to be employed and monitored over time.</p> <p>It should be noted that the project in its final/approved form has resulted in an alignment that has considered the primary concerns of farm operators, and several of the performance measures within the mitigation have been satisfied through project modifications.</p>

<b>AG Impact 2.2-4</b>	
Implementation of the proposed project may affect local drainage patterns by increasing runoff onto adjacent agricultural lands.	
<b>Mitigation</b>	<p><b>MM 2.2-4a</b> Prior to preparation of final construction drawings, the County shall ensure that the proposed project minimizes the quantity and rate of runoff off-site. The pathway shall be graded to convey runoff to away from agricultural crops, orchards and/or fields to reduce runoff onto adjacent agricultural lands.</p> <p><b>MM 2.2-4b</b> Prior to use of the Bob Jones Pathway and throughout the life of the project, the County shall provide refuse bags and disposal cans for domestic animal waste at the trailheads and at accessible, serviceable points along the route.</p>
<b>Findings</b>	After implementation of the mitigation measures, the proposed project impacts would be <i>not significant with mitigation</i> (Class II).
<b>Supportive</b>	The project is located in proximity to agricultural land uses, and landowners in the vicinity of the proposed project have expressed concern related to project impacts on surrounding



AG Impact 2.2-4	
<b>Evidence</b>	<p>agricultural operations. Construction of the pathway could impact agricultural operations by increasing the amount of stormwater runoff onto adjacent agricultural lands and altering local drainage patterns. Most of the project area lies within the 100-year floodplain and would require that the proposed project be engineered in a manner that would not significantly alter floodplain levels.</p> <p>The proposed mitigation measures would ensure that local runoff onto adjacent agricultural land does not result in an adverse effect by considering the use of effective methods to increase infiltration and reduce runoff; providing refuse bags for domestic animal waste at staging areas; and preparing and implementing sedimentation plans, erosion control plans, and a stormwater pollution prevention plan.</p>

AG Impact 2.2-5	
Implementation of the proposed project would result in the permanent disturbance of 0.90 acre of riparian habitat along the SLO Creek corridor, which contains riparian forest.	
<b>Mitigation</b>	Implementation of mitigation measures <b>MM 2.3-1a</b> , <b>MM 2.3-4b-c</b> , <b>MM 2.3-4e</b> , <b>2.3-4g</b> , and <b>MM 2.3-4i</b> .
<b>Findings</b>	After implementation of the mitigation measures, the proposed project impacts would be <i>not significant with mitigation</i> (Class II).
<b>Supportive Evidence</b>	<p>The project area contains central coast arroyo willow riparian forest, which supports California black walnut, western sycamore, cottonwood, box elder, California bay, white alder, arroyo willow, and coast live oak. The riparian forest within the SLO Creek riparian corridor provides suitable travel corridors for various birds and terrestrial wildlife species passing through surrounding developed areas and is managed for water quality and for fish and wildlife. SLO Creek provides a migration and travel corridor for steelhead trout and other aquatic species. The potential loss of riparian forestland may impair the management of water quality and of fish and wildlife management.</p> <p>The proposed mitigation measures would minimize impacts to riparian forest by requiring the preparation and implementation of a final Habitat Mitigation and Management Plan, engaging a biological monitor, restricting construction activities, minimizing tree removal and pruning, and requiring preparation and implementation of a Construction Management Plan. Methods for riparian vegetation replacement must be incorporated into the final Habitat Mitigation and Management Plan. The potential loss of forestland would be minimized by these measures and would have no adverse effect on the ability to manage water quality and fish and wildlife.</p>

### 6.3 BIOLOGICAL RESOURCES

BR Impact 2.3-1	
Implementation of the proposed project would result in the disturbance of habitat suitable to support potentially 13 special-status plant species and 16 special-status wildlife species.	
<b>Mitigation</b>	<b>MM 2.3-1a</b> Prior to commencement of construction, the County shall finalize a comprehensive Habitat Mitigation and Monitoring Plan (HMMP), for review and approval by the County Environmental Coordinator, or its designee, that specifies final mitigation requirements for impacts to vegetation and natural habitats based on the requirements of permits and consultation with the resource agencies. The final HMMP shall be based on and

### BR Impact 2.3-1

generally consistent with the draft HMMP prepared by SWCA Environmental Consultants Inc. in February 2012, which is included as Appendix I of the Natural Environmental Study (Technical Appendix T3 of the DEIR). The final HMMP will identify the specific mitigation sites along the vicinity of the SLO Creek riparian corridor, based on the specific mitigation acreage required by regulatory agencies during the permitting process. The final HMMP shall be consistent with federal and state regulatory requirements and reflect any regulatory permit conditions, as required. The San Luis Obispo County Environmental Coordinator, or its designee, shall ensure implementation of mitigation requirements of the HMMP during construction and immediately following project completion. Measures identified in the final HMMP shall include at a minimum the following:

1. On-site mitigation at the following minimum ratios, unless determined otherwise by a regulatory agency:
2. On-site mitigation (within areas in or near the SLO Creek watershed) for permanent impacts to jurisdictional areas would be implemented at a 2:1 ratio (the CDFW may require a replacement of 3:1 or more for trees removed);
3. Off-site mitigation for permanent impacts to jurisdictional areas would be implemented at a 3:1 ratio; and
4. On-site and/or off-site mitigation for temporary impacts to jurisdictional areas would be implemented at a 1:1 ratio.
5. Any loss of southern California black walnut trees shall be mitigated at a 4:1 restoration ratio for every walnut tree removed and at a 2:1 ratio for every walnut tree trimmed or otherwise impacted but not removed. If more than 25 percent of a walnut tree must be trimmed, it shall be mitigated at a 4:1 restoration ratio.
6. Implementation of the restoration and mitigation activities will be conducted or overseen by an agency-approved restoration specialist. The restoration specialist will oversee site preparation and plant installation to ensure conformity with the final HMMP. Restoration and mitigation activities shall include, but are not limited to, plant salvage, site preparation and planting, installation of irrigation, and preparation and implementation of maintenance and monitoring plans.
7. The maintenance plan shall address watering requirements, weed control, herbicide use, vandalism, and remedial plantings and fertilizing. The monitoring plan shall identify a monitoring schedule, performance goals, other attributes to monitor, and reporting requirements.
8. Obtaining a Section 1602 Streambed Alteration Agreement from the CDFW and coordinating with the SWRCB/RWQCB regarding the need for a Section 13263(a) general waste discharge requirement (WDR) for project-related impacts that will occur in areas under the jurisdiction of these regulatory agencies.

**MM 2.3-1b** The County shall provide evidence of all necessary permit or authorizations from Federal and State Agencies, including the USACE, RWQCB, and CDFW. Pursuant to Section 7 of the Endangered Species Act, formal consultation shall be initiated with the California Department of Fish and Wildlife (CDFW), US Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service (NMFS) for impacts to listed species (i.e. south-central California coast steelhead ESU). The HMMP required through implementation of mitigation measure MM 2.3-1a shall be updated within 30 days of issuance of any applicable permits to reflect specific permit requirements for observed special-status species. The updated HMMP shall be submitted for review and approval by the County Environmental Coordinator, or its designee.

**MM 2.3-1c** If any special-status species are observed in or near work areas during monitoring or construction, the County shall have a qualified biologist map, establish and mark off an exclusion zone, and avoid these species until the appropriate regulatory agencies (e.g., Caltrans, USFWS, and CDFW) are consulted for further mitigation options. Additional measures may include temporary halting of work, avoidance, relocation, or other measures as identified by the resource agencies, depending upon the specific species and its distribution.

## BR Impact 2.3-1

**MM 2.3-1d** Prior to commencement of construction, County shall have a qualified biologist prepare and conduct a worker environmental training program. The environmental training program shall include descriptions of all special-status species with the potential to occur within the project area, their ecology, legal status, the need for conservation of the species, and what to do if one is observed. The environmental training program shall be subject to review and approval by the County Environmental Coordinator, or its designee. All construction personnel conducting work within habitat that potentially supports these species shall participate in the training program conducted by a qualified biologist. Evidence of participation in the environmental training program shall be submitted to the County Environmental Coordinator on a quarterly basis.

**MM 2.3-1e** Prior to commencement of construction, the County shall have a qualified biologist conduct pre-construction surveys for Coast Range newts, southwestern pond turtles, silvery legless lizards, and two-striped garter snakes and any other California Special Concern species or other special-status species identified in areas along and adjacent to the SLO Creek corridor where construction will occur. The County shall obtain a letter of permission from the California Department of Fish and Wildlife (CDFW) to relocate identified California Special Concern species from work areas encountered during construction as necessary. A qualified biologists shall capture and relocate any California Special Concern species or other special-status species (if present) to suitable habitat outside of the area of impact. Observations of California Special Concern species or other special-status species shall be documented on California Natural Diversity Database forms and submitted to CDFW and the San Luis Obispo County Environmental Coordinator, or its designee, upon project completion.

**MM 2.3-1f** Prior to commencement of construction, the County shall implement recommended avoidance and minimization measures for CRLF provided under the *Programmatic Biological Opinion for Projects Funded or Approved Under the Federal Aid Program* as noted in the Natural Environmental Study (Technical Appendix T3 of the DEIR) and as summarized below. These measures include, but are not limited to, the following:

1. Prior to ground disturbance, a USFWS-approved biologist shall survey the project area no more than 48 hours before the onset of work activities. If any life stage of the CRLF is found and these individuals are likely to be killed or injured by work activities, the approved biologist shall be allowed sufficient time to move them from the site before work activities begin. The USFWS-approved biologist shall relocate the California red-legged frogs the shortest distance possible to a location that contains suitable habitat and will not be affected by the activities associated with the project. The USFWS-approved biologist shall maintain detailed records of any individuals that are moved (e.g., size, coloration, any distinguishing features, photographs [digital preferred]) to assist him or her in determining whether translocated animals are returning to the point of capture.
2. Prior to any activities beginning on the project site, a USFWS-approved biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of the California red-legged frog and its habitat, the specific measures that are being implemented to conserve the CRLF for the current project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions.
3. A USFWS-approved biologist shall be present at the work site until all CRLFs have been removed, workers have been instructed, and disturbance of the habitat has been completed. After this time, the state or local sponsoring agency shall designate a person to monitor on-site compliance with all minimization measures as required under the Habitat Mitigation and Monitoring Plan.
4. All refueling, maintenance, and staging of equipment and vehicles shall occur at least 60 feet (18 meters) from the riparian habitat or water bodies and not in a location from which a spill would drain directly toward aquatic habitat. The monitor

BR Impact 2.3-1	
	<p>shall ensure contamination of habitat does not occur during such operations.</p> <ol style="list-style-type: none"> <li>Project areas shall be revegetated with an assemblage of native riparian, wetland, and upland vegetation suitable for the area. Locally collected plant materials shall be used to the extent practicable. Invasive, exotic plants shall be controlled to the maximum extent practicable. This measure shall be implemented in all areas disturbed by activities associated with the project, unless the USFWS and Caltrans determine that it is not feasible or modification of original contours would not benefit the CRLF.</li> <li>The number of access routes, size of staging areas, and the total area of activity shall be limited to the minimum necessary.</li> <li>Work shall be scheduled for the times of the year when impacts to the CRLF would be minimal. For example, work that would affect large pools that may support breeding would be avoided, to the maximum degree practicable, during the breeding season (November through May). Isolated pools that are important to maintain California red-legged frogs through the driest portions of the year would be avoided, to the maximum degree practicable, during the late summer and early fall.</li> <li>Best management practices (BMPs) shall be implemented to control sedimentation during and after project implementation.</li> <li>If a work site is to be temporarily dewatered by pumping, intakes shall be completely screened with wire mesh not larger than 0.2 inch (5 mm) to prevent California red-legged frogs from entering the pump system. Water shall be released or pumped downstream at an appropriate rate to maintain downstream flows during construction.</li> <li>Water shall not be impounded in a manner that may attract CRLFs.</li> <li>Exotic species, such as bullfrogs (<i>Rana catesbeiana</i>), crayfish, and centrarchid fishes shall be permanently removed by a USFWS-approved biologist to the maximum extent possible.</li> <li>The use of herbicides is prohibited as the primary method to control invasive, exotic plants along the pathway, except in areas of managed agriculture, where use of pesticides (including herbicides) is regulated by the California Food and Agriculture Code.</li> </ol> <p>Evidence of compliance with the recommended avoidance and minimization measures for CRLF shall be submitted to the San Luis Obispo County Environmental Coordinator on a quarterly basis.</p>
<b>Findings</b>	After implementation of the mitigation measures, the proposed project impacts would be <i>not significant with mitigation</i> (Class II).
<b>Supportive Evidence</b>	<p>The project site is located in an area that contains habitat suitable to support potentially 13 special-status plant species and 16 special-status wildlife species. Due to the location of the project site and presence of suitable habitat in the area, precautionary measures are recommended to ensure impacts to protected species are avoided. Potential loss of habitat could impact the quality and availability.</p> <p>Suitable habitat was determined to be present within the BSA to support the following special-status wildlife species: south-central California coast steelhead evolutionarily significant unit (ESU), Coast Range newt, California red-legged frog, southwestern pond turtle, silvery legless lizard, and two-striped garter snake, which are considered special-status species by the NMFS, CDFW, and/or USFWS. Construction activities within SLO Creek could potentially impact steelhead habitat. Noise and vibration generated by construction activities associated with the proposed project may indirectly result in temporary abandonment of habitat adjacent to work areas and could impact the Coast Range newt by leading to displacement of species.</p> <p>Inadvertent impacts on special-status species may occur including use of equipment and</p>

BR Impact 2.3-1	
	<p>storage of materials outside the property boundary, and leaks, spills, and debris adversely affecting the beach areas surrounding the parcel. Degradation of habitat would have an adverse effect on special-status species, and other wildlife in the area.</p> <p>Implementation of mitigation measures are specific and performance based, and would effectively avoid and minimize potential impacts to special status plan and wildlife species.</p>

BR Impact 2.3-2	
<p>Implementation of the proposed project would result in the disturbance of habitat suitable to support special-status avian species, including Cooper's hawk (<i>Accipiter cooperii</i>), sharp-shinned hawk (<i>Accipiter striatus</i>), white-tailed kite (<i>Elanus leucurus</i>), western yellow-billed cuckoo (<i>Coccyzus americanus occidentalis</i>), loggerhead shrike (<i>Lanius ludovicianus</i>), least Bell's vireo (<i>Vireo bellii pusillus</i>), purple martin (<i>Progne subis</i>), yellow warbler (<i>Dendroica petechia brewsteri</i>), and yellow-breasted chat (<i>Icteria virens</i>), as well as other nesting birds (Class Aves).</p>	
<b>Mitigation</b>	<p><b>MM 2.3-2a</b> Prior to commencement of construction activities, the County shall document on all final construction documents that vegetation removal shall occur outside of the nesting season (September 1 to February 14), wherever possible, to prevent birds from nesting within areas of disturbance during or just prior to construction. These timing requirements shall be confirmed by the San Luis Obispo County Environmental Coordinator, or its designee.</p> <p><b>MM 2.3-2b</b> If construction activities are proposed to occur during the typical nesting season (February 15 to August 31) within 200 feet (60 meters) of potential nesting habitat or 100 feet of the existing South Higuera bridge, the County shall have a qualified biologist conduct pre-construction surveys for nesting birds (including swallows) in potential nesting habitat. Pre-construction surveys shall be conducted at least two weeks prior to construction to determine presence/absence of nesting birds within the project area. The USFWS and/or the CDFW shall be contacted if any listed bird species are observed during surveys and consulted for additional guidance if nesting birds are observed within or near the boundaries of the project site. Nests, eggs, or young of birds covered by the Migratory Bird Treaty Act and the California Fish and Game Code shall not be moved or disturbed until the end of the nesting season or until young fledge, whichever is later, nor shall adult birds be killed, injured, or harassed at any time. Work activities shall be avoided within 100 feet (30 meters) of active bird nests and 200 feet (60 meters) of active raptor nests until young birds have fledged and left the nest. Readily visible exclusion zones shall be established by a qualified biologist in areas where active nests must be avoided. Results of the pre-construction surveys shall be submitted to the San Luis Obispo County Environmental Coordinator, or its designee, upon completion and prior to construction.</p>
<b>Findings</b>	<p>After implementation of the mitigation measures, the proposed project impacts would be <i>not significant with mitigation</i> (Class II).</p>
<b>Supportive Evidence</b>	<p>The proposed project will result in the removal of vegetation that may directly impact bird nests and any eggs or young residing in nests if present. In addition, construction-generated noise and ground-disturbing activities may indirectly alter perching, foraging, and/or nesting behaviors. Removal of trees and vegetation supporting potential nesting habitat would result in temporary loss until replacement plantings were established. Due to the location of the project site and presence of suitable habitat in the area, mitigation measures are recommended to ensure impacts on special status avian species and other bird species are avoided. The measures are specific and performance based, and incorporate the procedures recognized and required by state and federal regulatory agencies to address each species.</p>

<b>BR Impact 2.3-3</b>	
Implementation of the proposed project would result in the disturbance of habitats suitable to support special-status bat species, including pallid bat ( <i>Antrozous pallidus</i> ) and western mastiff bat ( <i>Eumops perotis californicus</i> ), as well as other roosting bats (Class Chiroptera).	
<b>Mitigation</b>	<p><b>MM 2.3-3a</b> Wherever work is to occur within 100 feet (30 meters) of bridges or other artificial structures capable of supporting bat roosts, the County shall have a qualified biologist conduct pre-construction surveys (at least two at dawn and two at dusk) for bat roosts. Pre-construction surveys shall be conducted at least 30 days prior to construction to determine whether bats are roosting in these structures. The biologist(s) conducting the pre-construction surveys will also identify the nature of the bat utilization of the bridge (i.e., no roosting, night roost, day roost, maternity roost). Results of the pre-construction surveys shall be submitted to the San Luis Obispo Environmental Coordinator, or its designee, upon completion and prior to work commencing within 100-feet of existing structures that are capable of supporting bat roosts.</p> <p><b>MM 2.3-3b</b> If roosting bats are identified during surveys conducted as a result of implementation of mitigation measure MM 2.3-3a, the County shall implement the following measures during construction:</p> <ol style="list-style-type: none"> <li>1. Readily visible exclusion zones shall be established in areas where roosts must be avoided.</li> <li>2. If there is only night roosting by bats, work may proceed as normal, provided that no nighttime work is scheduled.</li> </ol> <p>If there is day roosting by bats (or night roosting and work during nighttime), qualified biologists shall monitor any construction activities within 100 feet (30 meters) for disturbance to bat roosting. If bat roosting behavior is determined to be adversely impacted by construction activities, construction must be avoided in the vicinity of bat roosts until either bats are no longer roosting or they have been excluded from roosting.</p> <p>If maternity roosts are detected, construction activities must be avoided within 100 feet (30 meters) of an active maternity roost until the end of the maternity roosting season, which typically occurs during the spring and summer months.</p>
<b>Findings</b>	After implementation of the mitigation measures, the proposed project impacts would be <i>not significant with mitigation</i> (Class II).
<b>Supportive Evidence</b>	The proposed project has minimal potential to directly impact special status bat species and other bat species that may utilize existing structures within the project area as roosting habitat. However, noise generated by construction activities may indirectly affect bats by altering their roosting behaviors, as they can be sensitive to noise disturbance. Due to the location of the project site and presence of suitable habitat in the area, mitigation measures are recommended to ensure impacts on special status bats and other bat species are avoided. The measures are specific and performance based, and incorporate the procedures recognized and required by state and federal regulatory agencies to address this species.

<b>BR Impact 2.3-4</b>	
Implementation of the proposed project would result in the disturbance of jurisdictional wetlands and/or riparian habitat areas, which are under the jurisdiction of the US Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and/or California Department of Fish and Wildlife (CDFW).	
<b>Mitigation</b>	<b>MM 2.3-4a</b> Prior to commencement of construction, the County shall retain a qualified biological monitor(s) approved by all involved regulatory agencies to ensure compliance with avoidance and minimization measures within the project environmental documents. Monitoring will occur throughout the length of construction or as directed by the regulatory

#### BR Impact 2.3-4

agencies. Full-time monitoring will occur during vegetation removal and erosion control installation. Monitoring may be reduced to part time once construction activities are under way and the potential for additional impacts is reduced. Monitoring reports shall be submitted to the San Luis Obispo County Environmental Coordinator, or its designee, on a quarterly basis or as specified by specific mitigation measures.

**MM 2.3-4b** During construction, the biological monitor(s) will ensure that the spread or introduction of invasive exotic plant species will be avoided to the maximum extent possible. When practicable, invasive exotic plants on the project site (such as *Arundo donax*) will be removed and properly disposed.

**MM 2.3-4c** Any construction activities across SLO Creek shall take place between June 15 and October 31 in any given year, or as otherwise directed by the regulatory agencies, when the surface water is likely to be dry or at seasonal minimum. Deviations from this work window will only be made with permission from the relevant regulatory agencies.

**MM 2.3-4d** Prior to commencement of construction, the County shall clearly flag or fence the project site so that the contractor is aware of the limits of allowable site access and disturbance. Areas within the designated project site that do not require regular access will be clearly flagged as off-limit areas to avoid/discourage unnecessary damage to sensitive habitats or existing vegetation within the project site.

**MM 2.3-4e** Prior to commencement of construction, the County shall prepare a Hazardous Materials (HAZMAT) Response Plan to allow for a prompt and effective response to any accidental spills. Upon completion of the HAZMAT Response Plan it shall be submitted to the San Luis Obispo County Environmental Coordinator, or its designee, to ensure compliance.

All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. During construction, all project-related hazardous materials spills within the project site will be cleaned up immediately. Spill prevention and cleanup materials will be on site at all times during construction.

The HAZMAT Response Plan shall allow the cleaning and refueling of equipment and vehicles occur only within a designated staging area, which shall be located at least 60 feet from wetlands, other waters, or other aquatic areas. This staging area will conform to best management practices (BMPs) applicable to attaining zero discharge of stormwater runoff. At a minimum, all equipment and vehicles will be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.

**MM 2.3-4f** Prior to commencement of construction, the County shall have a qualified arborist prepare a tree removal plan that minimizes the trimming and removal of trees to the extent feasible. Upon completion of the tree removal plan it shall be submitted to the San Luis Obispo County Environmental Coordinator, or its designee, to ensure compliance. To avoid the potential for unnecessary removal or trimming of trees, any trees to be removed shall be marked with colored flagging or other suitable material. Trees to be trimmed shall be similarly marked but with a different color to differentiate them from trees to be removed. Unmarked trees shall not be removed or trimmed. After construction, any loss of riparian trees shall be replaced at a minimum 3:1 replacement ratio, or as otherwise directed by the regulatory agencies. Methods for riparian vegetation replacement shall be incorporated into the final Habitat Mitigation and Monitoring Plan.

**MM 2.3-4g** Prior to commencement of construction, the County shall prepare and incorporate into final construction documents an erosion control plan and stormwater pollution prevention plan (SWPPP) for the project. Provisions of these plans shall be implemented during and after construction as necessary to avoid and minimize erosion and stormwater pollution in

BR Impact 2.3-4	
	<p>and near the work area. The SWPPP shall include erosion control measures to be implemented during and after project implementation (refer to Appendix L of the Natural Environment Study including in Technical Appendix T3 of the DEIR). Silt fencing, fiber rolls, and barriers (e.g., hay bales) will be installed between the project site and adjacent wetlands and other waters. No synthetic plastic mesh products shall be used in any erosion control materials. At a minimum, silt fencing will be checked and maintained on a daily basis throughout the construction period. The contractor shall also apply adequate dust control techniques, such as site watering, during construction. The San Luis Obispo County Environmental Coordinator, or its designee, shall ensure compliance with the SWPPP throughout the duration of the proposed project.</p> <p><b>MM 2.3-4h</b> Prior to commencement of construction, the County shall prepare a construction management plan that identifies the rules and requirements of the job site. Upon completion of the construction management plan it shall be submitted to the San Luis Obispo County Environmental Coordinator, or its designee, to ensure compliance. The construction management plan shall reference other applicable plans (i.e., SWPPP, HAZMAT Response Plan, employee training program, etc.), identify construction hours, contact names and numbers, and other specific management requirements, including, but not limited to, the following:</p> <ol style="list-style-type: none"> <li>1. During construction, trash will be contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work areas. All vegetation removed from the construction site shall be taken to a certified landfill to prevent the spread of invasive species. If soil from weedy areas (such as areas with poison hemlock or other invasive exotic plant species) must be removed off site, the top 6 inches containing the seed layer in areas with weedy species shall be disposed of at a certified landfill.</li> <li>2. During construction, no pets will be allowed on the construction site.</li> </ol>
<b>Findings</b>	After implementation of the mitigation measures, the proposed project impacts would be <i>not significant with mitigation</i> (Class II).
<b>Supportive Evidence</b>	<p>Construction of the three SLO Creek bridge crossings would result in permanent removal of riparian vegetation along the corridor. Principal features of the project that would impact riparian areas include the construction of the proposed bridges, which would require the permanent removal of some trees and the trimming of others. Construction of the new trail alignment adjacent to sections of the riparian corridor may also require minimal trimming or removal of individual trees.</p> <p>Construction activities, such as use of construction equipment, worker foot-traffic, and hazardous material spills, may directly result in temporary impacts to riparian vegetation along the corridor. Temporary impacts to riparian vegetation may also result from unintentional limb injury from construction equipment. Indirect root zone impacts from construction equipment are also a concern but are not expected, as most cuts and fills associated with grading will be less than 1 to 2 feet. Furthermore, increased erosion and sedimentation generated during construction may indirectly result in temporary impacts to riparian vegetation along the corridor.</p> <p>The bridges proposed for installation over SLO Creek and the agricultural drainage have been designed to avoid fill of the jurisdictional features. Further, the proposed bridge crossings and culverts have been designed to use bottomless arch culverts and free span bridges, which would avoid discharge of fill below the ordinary high water mark of SLO Creek and the agricultural drainages; therefore, the proposed project's impact on jurisdictional wetlands and other waters would be considered less than significant impact.</p> <p>Mitigation measures would be implemented to ensure replacement of riparian habitat at appropriate ratios and to avoid impacts on jurisdictional features and other waters. The measures are specific and performance based, and incorporate the procedures recognized</p>



BR Impact 2.3-4	
	and required by state and federal regulatory agencies to address construction in sensitive habitat areas to ensure no permanent impacts occur.

BR Impact 2.3-6	
Implementation of the proposed project may result in the introduction of invasive or exotic plant species to an area, which could compete with existing sensitive native plant species, as well as nearby agricultural crops.	
<b>Mitigation</b>	Implementation of mitigation measures MM 2.3-1a and MM 2.3-4b.
<b>Findings</b>	After implementation of the mitigation measures, the proposed project impacts would be <i>not significant with mitigation</i> (Class II).
<b>Supportive Evidence</b>	A total of 36 invasive plant species as identified by the California Invasive Plant Council (Cal-IPC) Inventory were observed within the project area during surveys. Construction activities have the potential to spread the invasive species, through introduction of seeds. Implementation of mitigation measures would reduce the potential for introduction of invasive species through best practices such as removal and disposal.

## 6.4 CULTURAL RESOURCES

CR Impact 2.4-1	
Implementation of the proposed project would involve construction activities that may result in the disturbance of known and unknown archaeological resources. Construction activities would occur in the vicinity of two known historical sites that may be eligible for listing on the California Register of Historic Resources (CRHR) and/or as a California landmark.	
<b>Mitigation</b>	<p><b>MM 2.4-1b</b> Prior to issuance of any permits for improvements at the Octagon Barn property (Segment 1), the County shall submit detailed final improvement plans for the proposed trailhead improvements to the County Environmental Coordinator, or its designee, for review and approval. The County Environmental Coordinator, or its designee, shall review the final plans to ensure consistency with the approved phased conditional use permit for the Octagon Barn Center project (DRC20010-00053). Design-level improvement plans shall identify all proposed structures and equipment, as well as proposed materials, and show elevations in relationship to existing buildings/structures.</p> <p><b>MM 2.4-1c</b> If, during the course of constructing and implementing the proposed project, archaeological, paleontological, and cultural resources (i.e., prehistoric sites, historic sites, or isolated artifacts and features) are discovered, the contractor shall halt all ground disturbing activities immediately within 50 feet of the discovery, the San Luis Obispo County Environmental Coordinator, or its designee, shall be notified, and a professional archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards and Guidelines in archaeology and/or history shall be retained by County to determine the significance of the discovery.</p> <p>The San Luis Obispo County Environmental Coordinator, or its designee, and the County shall consider mitigation recommendations presented by a professional archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards and Guidelines in archaeology and/or history for any unanticipated discoveries. The San Luis Obispo County Environmental Coordinator, or its designee, and the County shall consult and agree upon implementation of a measure(s) that they deem feasible and appropriate. Such measures</p>

<b>CR Impact 2.4-1</b>	
	may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The County shall implement any mitigation necessary for the protection of archaeological, paleontological, and cultural resources.
<b>Findings</b>	After implementation of the mitigation measures, the proposed project impacts would be <i>not significant with mitigation</i> (Class II).
<b>Supportive Evidence</b>	<p>Implementation of the proposed project would result in development of structures in proximity to the Santa Fe Dairy Octagon Barn (CA-SLO-1002H). According to the HPSR, the Octagon Barn is eligible for inclusion in the National Register of Historic Places (NRHP) and California Register of Historic Resources (CRHR). The proposed project would not result in changes to the historical structure itself but would result in additional improvements to the Santa Fe/Home Dairy complex site. As noted above, the County previously approved a phased conditional use permit for the Octagon Barn Center project (DRC20010-00053), which was subject to the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.</p> <p>Due to the proximity and connectivity to the existing historical resource, if the proposed improvements did not comply with the Secretary of the Interior's Standards for Rehabilitation, the proposed project may damage the historical character of the site, which would be a significant impact. At the time these findings were prepared, no design-level plans for the proposed improvements have been prepared to confirm consistency with these standards. Therefore, implementation of mitigation measures would reduce this impact to a less than significant level.</p>

## 6.5 TRANSPORTATION AND CIRCULATION

<b>TRA Impact 2.6-2</b>	
Implementation of the proposed project will result in development of a multi-use pathway that includes potentially hazardous design features such as an interim at-grade crossing.	
<b>Mitigation</b>	<p><b>MM 2.6.2-1</b> Prior to final design approval, the County shall design the proposed project consistent with the requirements of the San Luis Obispo County 2011 Public Improvement Standards and Caltrans' Manual for Uniform Traffic Control Devices. The final design shall be subject to review and approval by the San Luis Obispo County Department of Public Works.</p> <p><b>MM 2.6.2-2</b> A single at-grade crossing of South Higuera Street to accommodate a connection to the City's portion of the pathway would be designed consistent with San Luis Obispo County's <i>2011 Public Improvement Standards</i>. The final design of a single at-grade crossing of South Higuera Street shall be included in the design of the future Buckley Road extension, which will include a signalized intersection at South Higuera Street. An interim at-grade crossing of South Higuera Street may be acceptable prior to the construction of the signalized intersection under the following circumstances:</p> <ol style="list-style-type: none"> <li>1. Prior to final design approval, the County shall review and approve a design for a single interim at-grade crossing on South Higuera Street.</li> <li>2. The location of this single interim at-grade crossing shall be coordinated with the City of San Luis Obispo and the San Luis Obispo County Department of Public Works.</li> <li>3. The San Luis Obispo County Department of Public Works shall ensure that the design of the at-grade crossing is consistent with the San Luis County 2011 Public Improvement Standards and Caltrans' Manual for Uniform Traffic Control Devices. Necessary safety features may include, but are not limited to, the following design</li> </ol>

TRA Impact 2.6-2	
	<p>features as deemed appropriate to provide a safe crossing:</p> <ul style="list-style-type: none"> <li>• Use of flashing lights, roadway striping, or changes in pavement texture.</li> <li>• Signing for path users shall include a standard “STOP” sign and pavement marking, combined with other features such as bollards to slow bicyclists.</li> <li>• For path users, directional signs and street names at crossings to help direct people to their destinations.</li> <li>• For motorists, a sign reading “Path Xing” along with a path emblem or logo to both warn and promote use of the path itself.</li> <li>• A median stripe on the path approach to organize and warn path users.</li> <li>• Crosswalk striping in accordance with local and state preference, possibly accompanied by pavement treatments to help warn and slow motorists.</li> </ul> <p>The interim at-grade crossing shall be abandoned with construction of the Buckley Road extension and relocated to the south side of the new Buckley Road/South Higuera Street signalized intersection.</p>
<b>Findings</b>	After implementation of the mitigation measures, the proposed project impacts would be <i>not significant with mitigation</i> (Class II).
<b>Supportive Evidence</b>	Prior to the construction of the Buckley Road extension, there may be a need for an interim crossing of South Higuera Street that incorporates certain safety precautions to ensure adequate performance of the circulation system. Although a single at-grade crossing of South Higuera Street would not benefit the proposed project (as there would be no feasible crossing locations to the south to allow users to continue on the proposed alignment), it would allow the City of San Luis Obispo’s portion of the Bob Jones Pathway to connect to the proposed project. Implementation of mitigation measures would minimize potential safety hazards.

TRA Impact 2.6-3	
Implementation of the proposed project will result in development of a pathway that will not impede an evacuation route; however, emergency access to the pathway may be limited.	
<b>Mitigation</b>	<p><b>MM 2.6.3-1</b> Prior to final design approval, the County shall ensure that the project has been designed to provide the following:</p> <ol style="list-style-type: none"> <li>1. Pathway landmarks or other location aids to allow an injured or ill party to convey location to emergency responders for party locating;</li> <li>2. Provide emergency access for a 20-ton fire engine to remote areas of the pathway; and</li> <li>3. Informational signs, gate control, and weather monitoring to avoid flood hazards during storm events.</li> </ol> <p>The environmental coordinator, or its designee, shall review the final improvement plans for consistency prior to commencing construction.</p>
<b>Findings</b>	After implementation of the mitigation measure, the proposed project impacts would be <i>not significant with mitigation</i> (Class II).
<b>Supportive Evidence</b>	The proposed project would not result in the construction of any major structures that would result in an increase in population or a substantial increased demand for emergency services. However, due to the length of the pathway, it could be challenging to locate those in need if markers are not provided. The mitigation would help ensure appropriate emergency access.

## **7.0 FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT AND UNAVOIDABLE**

No significant and unavoidable impacts (Class I) were identified for the proposed project.

## 8.0 CUMULATIVE AND GROWTH INDUCING IMPACTS

### 8.1 CUMULATIVE IMPACTS

State CEQA *Guidelines* §15355 defines cumulative impacts as

*“two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts”. Further, “the cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.”*

The Guidelines require the discussion of cumulative impacts to reflect the severity of the impacts and their likelihood of occurrence. However, the discussion need not be as detailed as the analysis of impacts associated with the project, and should be guided by the rule of reason. Cumulative impacts associated with this project are discussed in the topical analysis sections provided in Section 1 of the DEIR.

#### 8.1.1 Aesthetics (Class II)

##### Cumulative Adverse Impacts to Visual Character

Implementation of the proposed project, combined with other reasonably foreseeable projects may result in the degradation of the existing visual quality and/or character of the Highway 101 corridor between the cities of San Luis Obispo and Pismo Beach. This largely undeveloped area serves as a community separator, has moderately high visual sensitivity and quality, and high visibility. The proposed project's effect on the visual character of this area would be considered a Class II, *significant but mitigable*, cumulative impact.

The resulting improvements would be considered a potentially significant cumulative impact. Implementation of mitigation measures MM 2.1-1a, MM 2.1-1b, and MM 2.1-2a through MM 2.1-2c would reduce the proposed project's contribution to short- and long-term effects on visual quality by requiring re-vegetation and continued maintenance of the disturbed areas, establishing design standards for the proposed bridges; and requiring landscape screening of new structures.

**MM 2.1-3b** For land within the project footprint under Caltrans jurisdiction, the County shall select appropriate plant materials that will cover graded cut and fill slopes and that are compatible with adjacent vegetation to minimize visual impacts. Selected species shall be compatible with Caltrans requirements. Plans shall be submitted to Caltrans or its designee for review and approval prior to start of construction. All plantings and re-vegetation shall be implemented concurrent with construction.

The Environmental Coordinator, or its designee, shall be responsible for mitigation monitoring to ensure mitigation planting is installed and maintained for five years.

**MM 2.1-3c** Prior to approval of final improvement plans, the County shall identify a texture or pattern for the vertical retaining surface specifically designed to reduce the large plane of uniform vertical surface. In addition, appropriate landscape shrubs are to be planted between the retaining wall and the highway to provide screening. The design shall be subject to review

and approval by the Environmental Coordinator or its designee for compliance prior to start of construction. Caltrans shall also be consulted where the project falls within its jurisdiction.

The Environmental Coordinator, or its designee, shall be responsible for mitigation monitoring to ensure mitigation planting is installed and maintained for five years.

**MM 2.1-3d** Prior to approval of final improvement plans, the San Luis Obispo County Environmental Coordinator shall ensure that all proposed design and landscaping requirements are incorporated into the final design drawings.

These measures would reduce the proposed project's incremental contribution towards the degradation of the visual quality along the Highway 101 corridor. Therefore, the proposed project's affect on visual quality would not be considered cumulative considerable and this would be considered a Class II, *significant but mitigable*, cumulative impact.

### **8.1.2 Agricultural Resources (Class III)**

Implementation of the proposed project could directly and indirectly impact land designated as important farmland; however, these impacts would be minimized through implementation of a Farmland Conflict Reduction Plan. When combined with other reasonably foreseeable similar projects within the County that convert farmland and forestland, the amount would not be considered cumulatively considerable in the context of countywide inventories of farmland and forestland. The only cumulative project that would combine with this action is the City's portion of the Bob Jones Pathway. However, that project, like the County's segment, would also be expected to result in very small areas of conversion that would not rise to a level of significance or impact the viability of existing agricultural land. In addition, the County's policies severely limit the ability for cumulative conversion or for conflict to occur. Therefore, the proposed project's contribution towards the loss of improvement farmland and/or forestland would not be cumulative considerable and this would be a Class III, *less than significant*, cumulative impact.

### **8.1.3 Air Quality (Class III)**

The proposed project would not exceed the SLO APCD's daily or quarterly thresholds of significance for construction activities. Therefore, the construction emissions generated by the proposed project are considered to be a Class III, *less than significant* cumulative impact. Further, the proposed project would not result in the generation of substantial toxic air contaminants, and this is considered to be a Class III, *less than significant* cumulative impact.

The proposed project would introduce a sensitive receptor, a recreational pathway for users of all ages, adjacent to existing mobile sources of air pollutants. CARB advises that a new sensitive land use be located 500 feet from a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day; however, this advisory does not take into account site-specific conditions and needs to be balanced with other state and local policies (CARB 2005). Although approximately 3 miles (70 percent) of the proposed pathway would be located within 500 feet of the Highway 101 corridor, the proposed project encourages reduced mobile source emissions, which would reduce exposure to a broader spectrum of sensitive receptors than just the pathway users. In addition, a majority of the pathway would be surrounded by riparian vegetation that would aid in filtering air pollutants and shield users from the mobile sources of air pollutants. Peak use of the recreation pathway would be during the weekends when vehicle trips on the adjacent freeway and mobile source emissions associated with those vehicle trips would be lower; therefore, this is considered to be a Class III, *less than significant cumulative impact*.

#### **8.1.4 Biological and Natural Resources (Class II and Class III)**

##### **Cumulative Impact on Avian Species and Other Nesting Birds**

As impacts to nesting birds would be avoided and potential impacts to nesting habitat will be mitigated by implementation of the final Habitat Mitigation and Monitoring Plan, *no cumulative* impact to nesting birds is anticipated.

##### **Cumulative Impact on Special-Status Species and Their Habitat**

Implementation of the proposed project would contribute to the cumulative loss of one special-status tree species, California black walnut that has limited statewide distribution, which would be a potentially significant cumulative impact. However, implementation of mitigation measures would reduce this impact to less than significant level; therefore, the proposed project affect on California black walnut combined with other reasonably foreseeable projects in the state would not be cumulatively considerable and would be considered a Class II, *significant but mitigable* cumulative impact.

Historical land management practices in and adjacent to SLO Creek have resulted in a deterioration of habitat quality for steelhead and other aquatic organisms that inhabit the drainage. During recent years, restoration activities have been conducted along SLO Creek in an attempt to improve its water and habitat quality. Construction of the proposed project would result in the loss of some riparian vegetation, which may affect steelhead critical habitat as well as special-status species such as southern California black oak, steelhead, California red-legged frog, Coast Range newt, southwestern pond turtle, silvery legless lizard, and two-striped garter snake.

Considered in context with the historic loss of these species in California, cumulative effects to special-status species or habitat that supports these species could be considerable if not mitigated. Although the project impacts to southern California black walnut would be considered less than significant due to this species being common locally, any loss that would contribute to the limited statewide distribution of these species may be cumulatively considerable and a potentially significant cumulative impact. Implementation of the following mitigation measure, combined with mitigation measures MM 2.3-1a through MM 2.3-1f, MM 2.3-2a and MM 2.3-2b, MM 2.3-3a and 2.3-3b, and MM 2.3-4a through MM 2.3-4h would reduce the proposed project cumulative affect on special-status species to a *less than significant* level (Class III).

**MM 2.3-7** Prior to commencement of construction activities, the County shall ensure that the final alignment of the Bob Jones Pathway avoids impacts to southern California black walnut trees to the extent practicable. If southern California black walnut trees cannot be avoided and must be removed or trimmed during construction, their loss shall be mitigated at a 4:1 restoration ratio for every walnut tree removed and at a 2:1 ratio for every walnut tree trimmed or otherwise impacted but not removed. If more than 25 percent of a walnut tree must be trimmed, it shall be mitigated at a 4:1 restoration ratio.

##### **Cumulative Impact on Jurisdictional Areas and Riparian Habitat**

Implementation of the proposed project would contribute to the cumulative loss of riparian habitat or disturbance of SLO Creek, which is under the jurisdiction of the CDFW and/or the RWQCB. However, implementation of previously identified mitigation measures MM 2.3-1a and MM 2.3-4a through MM 2.3-4h would reduce potential impacts to jurisdictional riparian areas to

a less than significant level. Therefore, the proposed project's contribution towards the cumulative loss of riparian habitat would not be cumulatively considerable and this would be considered a Class III, *less than significant*, cumulative impact.

The proposed project is anticipated to result in minimal cumulative impacts to jurisdictional wetlands and riparian areas within the SLO Creek watershed upon implementation of mitigation measure MM 2.3-1a and MM 2.3-4a through MM 2.3-4h. This would ensure that any direct loss of jurisdictional wetlands, other waters, and/or riparian habitat is mitigated and that indirect impacts to these features are minimized.

In addition, implementation of the *San Luis Obispo Creek Watershed Management Plan* (City of San Luis Obispo and County of San Luis Obispo 2003) also contributes to cumulative effects along SLO Creek, but with the goal of identifying management problems and management needs of the corridor, including restoration where needed. These effects, in connection with the proposed project and considered in a cumulative context, are not expected to threaten the SLO Creek riparian corridor. Restoration plantings as mitigation to offset the necessary temporary loss of riparian vegetation to create space for the new bridges would be consistent with the effort to improve and enhance the SLO Creek riparian corridor. Therefore, the proposed project's impact on jurisdiction waters and riparian habitat would not be cumulatively considerable. This impact would be considered Class III, *less than significant*, cumulative impact.

### **8.1.5 Cultural Resources (Class III)**

Implementation of the proposed project, combined with other reasonably foreseeable projects, could result in the cumulative discovery and/or disturbance of cultural resources (i.e., historical, archaeological, and paleontological) and or human remains within the county. However, the impacts to cultural resources are addressed on a project-specific level. Therefore, the proposed project would not contribute to a loss of cultural resources or disturbance of human remains that would be considered cumulatively considerable and this would be considered a *less than significant* cumulative impact (Class III).

### **8.1.6 Geology and Soils (No impact)**

Geology and soil impacts are typically site specific and do not combine with other reasonably foreseeable similar projects to contribute towards cumulative impacts; therefore, the proposed project's affect on geology and soils would be not be considered cumulatively considerable and there would be *no cumulative* impact.

### **8.1.7 Greenhouse Gas Emissions (Class III)**

GHG emissions contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to result in a noticeable change in the average global temperature. The combination of GHG emissions from past, present, and future projects contributes substantially to the phenomenon of global climate change and its associated environmental impacts, and as such, greenhouse gas emissions are addressed only as a cumulative impact.

**Generate GHG Emissions.** Development of the proposed project would generate short-term increases of greenhouse gas (GHG) emissions that would contribute to cumulative GHG emissions that are associated with global climate change. Temporary increases in GHG emissions may be generated by construction activities such as grading, clearing, construction,



and tree removal and disposal. Operational emissions generated by the proposed project would be considered negligible. Most of the GHG emissions would be generated by mobile sources or vehicle trips, which would be reduced since the nature of the proposed project would provide an alternative form of transportation that may result in removing vehicles from the roadway network. The project would generate a maximum of approximately 141.02 metric tons per year of CO<sub>2</sub>e from construction equipment emissions, with an average of 120.30 metric tons per year. According to the SLO APCD CEQA Handbook, a project is considered to have a significant impact if the operation of that project generated 1,150 metric tons of carbon dioxide equivalents (MTCO<sub>2</sub>e) per year. Since the proposed project would result in negligible operational emissions, when added to the maximum 141.02 metric tons of CO<sub>2</sub>e per year generated by construction emissions, the proposed project would still not exceed the SLO APCD's threshold; therefore, this impact would not be considered cumulatively considerable. This is considered a *less than significant* (Class III) cumulative impact.

**Carbon Sequestration.** Implementation of the proposed project would result in the removal of vegetation. Removal and replanting of vegetation can affect the amount of CO<sub>2</sub> sequestered within the project area and result in the release of stored CO<sub>2</sub>. In addition, if removed vegetation were to be burned, it would generate additional air pollutants; however, implementation of voluntary mitigation measure VMM 1.1 would prohibit the burning of any debris (including vegetation to be removed) consistent with SLO APCD rules and regulations. Based on the existing habitat and the habitat that would be in place upon completion of the project, the proposed project would result in the loss of 51.45 MT of stored CO<sub>2</sub>e. There are no established thresholds of significance for carbon sequestration. Even when adding the maximum construction emissions of CO<sub>2</sub>e and compared to the thresholds of significance for operational emissions, the amount of generated CO<sub>2</sub>e and/or loss of sequestered CO<sub>2</sub>e as a result of the proposed project would be considered a *less than significant*, cumulative impact (Class III).

#### **8.1.8 Hazards and Hazardous Materials (No impact)**

Hazards and hazardous materials impacts are typically site specific and do not combine with other reasonably foreseeable projects to contribute towards cumulative impacts; therefore, the proposed project's affect on hazards and hazardous materials would be not be considered cumulatively considerable and there would be no cumulative impact.

#### **8.1.9 Hydrology and Water Quality (Class III)**

The proposed project's incremental increase in wastewater generation combined with other reasonably foreseeable projects within the treatment plant's service area would not result in effects that would be cumulatively considerable. Therefore, the proposed project's cumulative effect on wastewater generation would be considered a Class III, *less than significant*, cumulative impact.

The proposed project's incremental increased demand on groundwater resources for landscaping, when combined with other reasonably foreseeable projects within the groundwater basin, would not result in effects that would be cumulatively considerable as the demand is negligible. Therefore, the proposed project's cumulative effect on groundwater resources would be considered a Class III, *less than significant*, cumulative impact

The proposed project's incremental contribution to runoff volumes and water quality, combined with other reasonably foreseeable projects within the watershed, would not result in effects that would be cumulatively considerable because the project would fully mitigate impacts on site.

Therefore, the proposed project's cumulative effect on drainage and water quality would be considered a Class III, *less than significant*, cumulative impact.

The project would place new pathway improvements in the floodplain; however, this project would not combine with other reasonably foreseeable projects to result in a cumulatively considerable impact. Therefore, the proposed project's cumulative effect on flooding would be considered a Class III, *less than significant*, cumulative impact.

#### **8.1.10 Land Use and Planning (Class III)**

The proposed project would not combine with any other project to result in significant land use impacts. The primary land use issue in this case is consistency with adopted plans and policies. Incrementally, any and all urban development in the county—including the Bob Jones Pathway—that is located near active agriculture has the potential to encroach on or otherwise impact agricultural operations. However, the Bob Jones Pathway is a public facility which is being proposed as a benefit for the community by providing public access from the City of San Luis Obispo to the community of Avila Beach. Several sections of the pathway would traverse along the margins of agricultural land, but the project's contribution towards agricultural conflicts and conversion are not cumulatively considerable. Therefore, the proposed project's cumulative effect would be a Class III, *less than significant*, cumulative impact.

#### **8.1.11 Noise (Class III)**

The project's incremental contribution towards increased noise levels, when combined with other reasonably foreseeable projects within the Highway 101 corridor between the City of San Luis Obispo and Avila Beach, would not result in effects that would be cumulatively considerable. Therefore, the proposed project's effect on noise levels would be considered a Class III, *less than significant*, cumulative impact.

#### **8.1.12 Public Services (Class III)**

The project's incremental contribution towards increased demand for police and fire protection services, combined with other reasonably foreseeable projects within the Highway 101 corridor between the City of San Luis Obispo and Avila Beach would not result in effects that would be cumulatively considerable. Cumulative demand for service would not trigger staffing thresholds or cause the construction of new facilities. Therefore, the proposed project's effects on police and fire protection services would be considered Class III, *less than significant*, cumulative impacts.

#### **8.1.13 Recreation and Parks (Class III)**

The project's incremental contribution towards increased demand on existing trail facilities, combined with other reasonably foreseeable segments of the Bob Jones Pathway would not result in effects that would be cumulatively considerable, as the pathway would be used as intended. Therefore, the proposed project's effects on recreation and parks are considered to be a Class III, *less than significant*, cumulative impact.

#### **8.1.14 Transportation and Circulation (Class III)**

The 2008 average AADT for Highway 101 in the vicinity of the project area is estimated to be 69,500 (LOS D), and the 2035 projected AADT is 74,082 (LOS E). From Avila Beach Drive to the City of San Luis Obispo, the highway is the most heavily traveled connection between the central and south portions of the county. Over the next 20 years, projected growth and land use intensification in the South County would continue to generate increased traffic and degrade LOS at the existing facilities. Increasing levels of commute traffic and summer traffic would affect the peak periods. Continued development of auxiliary lanes, improvement to alternative routes, and the implementation of closed circuit television monitoring are proposed to be used to enhance level of service into the future.

The proposed project would promote the use of alternative modes transportation and may have a net beneficial effect on long-term operations of the roadway network. Therefore, the proposed project would not result in traffic impacts that would be considered cumulatively considerable. Design features and emergency access impacts are site specific and would not combine with any other foreseeable projects to create a significant cumulative effect. This would be considered a Class III, *less than significant*, cumulative impact.

#### **8.1.15 Utilities and Service Systems (Class III)**

The project's incremental contribution towards increased demand for utilities and service systems, combined with other reasonably foreseeable projects within the San Luis Bay Inland planning area would not result in effects that would be cumulatively considerable. Therefore, the proposed project's effects on utilities and service systems are considered to be a Class III, *less than significant*, cumulative impact.

### **8.2 GROWTH-INDUCING IMPACTS**

CEQA Guidelines §15126.2(d) requires an EIR to discuss the growth inducing impacts of a proposed project, including the ways in which the project would foster economic or population growth, encourage the construction of additional housing, or remove an obstacle to population growth in the surrounding environment, either directly or indirectly. The goal of the growth inducing impacts section of the EIR is to address the effects the proposed project may have on surrounding facilities and activities by assessing the ways in which a project could encourage population or economic growth, increase employment opportunities or employment growth in support of an industry, or stimulate the construction of new housing or service facilities.

The proposed project would result in development of a pathway and would not result in construction of new housing, roadways, or other infrastructure that would have the potential for inducing growth in the area. Nor would the proposed project remove an existing constraint that would allow additional growth and development. A pathway, unlike a roadway that carries motor vehicles, does not provide the necessary infrastructure for increased access into otherwise undeveloped areas of the county. Public access would be improved to previously inaccessible areas along a narrow right-of-way; however, this access by cyclists and pedestrians has no potential to induce or remove barriers to growth. For these reasons, the proposed project would have no potential to directly or indirectly induce growth. The specific environmental effects resulting from the proposed project are discussed in the environmental issue areas in Sections 2.1 through 2.6 of the final Environmental Impact Report. Therefore, the project would not

induce population or economic growth in the area. Impacts would be *less than significant* (Class III).

## **9.0 ALTERNATIVES**

CEQA §15126.6(a) requires an EIR to “describe a reasonable range of alternatives to a project, or to the location of a project, which could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” Through the scoping process, if an alternative was found to be infeasible, as defined above, then it was eliminated from further consideration. In addition, CEQA states that alternatives should “...attain most of the basic objectives of the project...” Please refer to Chapter 3, Alternatives Analysis, of the RDEIR for a detailed discussion of the alternatives. The following alternatives were selected for more detailed review.

### **9.1.1 Alternative 1- No Project Alternative**

Under Alternative 1, the proposed project would not be constructed. There would be no physical alteration of the environment, nor would the community receive the added benefit of a scenic Class I pathway between San Luis Obispo and Avila Beach. Cyclists would continue to have to share the roadway with vehicles. Use of the corridor would continue to be limited to more experienced cyclists. Use by pedestrians and users of all ages would be prohibited (or severely constrained) for safety reasons, which would not meet the objectives of the project. Therefore, Alternative 1 is not consistent with the objectives for the proposed project.

### **9.1.2 Alternative 2- Important Farmland Avoidance**

Alternative 2 would begin at the South Higuera Street near the Octagon Barn crossing. Similar to the project, the pathway alignment would continue south along the western side of the roadway as a Class I pathway where feasible and as a Class II facility through the existing Highway 101 underpass near Ontario Road.

On the western side of Highway 101, the pathway would continue as a Class I pathway between Ontario Road and Highway 101 where terrain would allow. At the San Luis Bay Drive intersection/off-ramp, the intersection would be formalized and the Class I pathway would continue on the east side of Ontario Road, where feasible, to the existing Ontario Road Staging Area. The segment between San Luis Bay Drive and the Ontario Road Staging Area is similar to preliminary Design Concept A for Sub-Segment 5 as analyzed in the Bob Jones Pathway Phase II Feasibility Study (Technical Appendix T7 of the DEIR); however, that design concept had the pathway within the roadway right-of-way, not as a separated pathway. The feasibility study rejected the design concept for real and perceived safety, usage, and user enjoyment issues. This alternative would be a slightly different design from the preliminary design concept in that it would provide a separated pathway on the eastern side of the roadway, where feasible. Similar to the project, this would require acquiring easements on private property.

### **9.1.3 Alternative 3 – Elimination of South Higuera Crossings**

Under Alternative 3, Segment 1 between the Octagon Barn and the South Higuera Street crossing of SLO Creek would be aligned so that the pathway would not cross South Higuera Street (twice), but instead would continue to run along South Higuera Street on the south/east side of the roadway similar to the proposed project. This alternative would avoid any safety concerns associated with the road crossing, while providing function and access. This alternative is similar to Design Concept B for Sub-Segment 1a analyzed in the Bob Jones Pathway Phase II Feasibility Study (Technical Appendix T7 of the DEIR).

#### **9.1.4 Alternative 4 – Highway 101 Undercrossing at Ontario Stage Road Staging Area**

Alternative 4 would align Segment 5 between San Luis Bay Drive and the Ontario Road Staging Area to cross Highway 101 under an existing bridge instead of constructing a new overcrossing structure and associated ramps, similar to the proposed project. Within Segment 5, the pathway would extend south along a farm road within a Caltrans easement that is adjacent to the east side of Highway 101. At the Highway 101 Bridge (Bridge No. 49-0014R/L) at SLO Creek, the pathway would go under the highway and connect to the existing Ontario Road Staging Area. This alternative is similar to Design Concept B for Sub-Segment 5 as analyzed in the Bob Jones Pathway Phase II Feasibility Study (Technical Appendix T7 of the DEIR).

#### **9.1.5 Alternative 5 – Interim Improvements**

Alternative 5 would retain the existing Class II route but provide interim safety improvements (i.e., barricades, bollards, flashing lights), directional signage, and striping to better identify bike lanes and protect users until a more formal pathway can be constructed. Cyclists would continue to share the roadway with vehicles but with improved safety features. Use by pedestrians may continue to be prohibited in some areas for safety reasons, and thus Alternative 5 would not meet all of the stated objectives of the project. This alternative—or similar interim improvements—may also be implemented along various segments during the construction timeline or while easements are in the process of being obtained.

#### **9.1.6 Alternative 6 – Farming Operations and Conflict Avoidance**

The objective of this alternative (referred herein as Alternatives 6A and 6B) is to (a) reduce potential conflicts with day-to-day agricultural operations associated with active farming along the alignment; (b) incorporate the highway undercrossing concept instead of the Highway 101 overcrossing; and (c) improve safety by eliminating key at-grade crossings. The primary difference between Alternative 6A and 6B is a variation in the alignment (a stretch of approximately 2,000 feet) within a portion of Segment 3. One variation (6A) places the path closer to San Luis Obispo Creek (SLO Creek), while the other (6B) runs parallel Highway 101. Alternative 6 closely matches the proposed project as presented in Section 2 of this document.

Under this alternative, the Class 1 pathway has been designed and analyzed with a 12 foot pavement width with 2-foot shoulders. Shoulder width may be reduced to zero, if necessary, to avoid specific resources or constraints such as wetlands, riparian habitat, and the highway undercrossing. Trail width at bridge crossings remains 10 feet.

A segment by segment description of the alternative is provided below to allow for a meaningful comparison against the original project analyzed in the Draft EIR. Preliminary plans for Alternative 6 are included as an appendix to the RDEIR.

Segment 1: Octagon Barn to South Higuera Street Crossing. Under Alternative 6, Segment 1 would be aligned similar to Alternative 3. Segment 1 between the Octagon Barn and the South Higuera Street crossing of SLO Creek would be aligned so that the Class I pathway would not cross South Higuera Street (twice), but instead would continue to run along the south/east side of the roadway. This alignment would avoid safety concerns associated with the dual road crossings, while providing function and access.

Segment 2: South Higuera Creek Street Crossing to Bunnell Crossing. This segment matches the proposed project.

Segment 3: Bunnell Crossing to San Luis Bay Drive. After crossing to the east side of SLO Creek at the Bunnell property, the path alignment would follow the creek similar to the original alignment in the DEIR. At a location approximately 1,300 feet south of the crossing, however, the trail would continue along the east side of the creek in the location of an existing farm road, near the riparian edge, instead of shifting to Monte Road.

At the approximate midpoint of Segment 3 in the Baron Canyon area, the trail would shift to the south, crossing SLO Creek approximately 4,200 feet south of the Bunnell Bike/Pedestrian Bridge. This bridge would be of a similar type as the other crossings along the proposed alignment, although the span would be longer (approximately 120 feet) based on creek conditions in this area. This bridge would be constructed from top of bank to top of bank, with no center pier required. Immediately past this new crossing, Alternative 6A would continue along the west side of the creek between existing agricultural fields and riparian vegetation. There is a dirt farm road in this location. After following the creek for approximately 2,000 feet, the alignment would dip westward toward Highway 101 at the Gable property and PG&E transmission line easement.

Alternative 6B, instead of following the creek, would dip westward immediately after the creek crossing, turning south and ultimately following a route parallel to Highway 101. The pathway would be located on SLO Land Conservancy property immediately adjacent to the Caltrans right-of-way.

Alternatives 6A and 6B reconnect near the highway at the Gable property and PG&E transmission line easement. The alignment continues parallel to the highway until reaching San Luis Bay Drive in Segment 4.

Segment 4: San Luis Bay Drive Crossing. At San Luis Bay Drive, the pathway would cross under the roadway.

To pass under San Luis Bay Drive, a new bike/pedestrian tunnel would be constructed under the roadway, which is elevated in this location. This 80-foot tunnel would also connect to the original trail alignment to the south. This option would provide a more direct connection and eliminate an at-grade crossing, thus increasing ridership safety.

In addition to the tunnel, paved pathways would be included north and south of San Luis Bay Drive, east of the pathway, serving as trail access ramps to and from San Luis Bay Drive. These ramps are critical to allow trail access (and exit) in this location. The ramp pathways would also serve as trail access and exit points during seasonal closures in Segment 5 caused by high creek flows under Highway 101, where users would be required to detour onto Ontario Road.

Segment 5: San Luis Bay Drive to Ontario Road Staging Area. This segment of Alternative 6 would be similar to that described for Alternative 4. Similar to Alternative 4, Alternative 6 would align Segment 5 between San Luis Bay Drive and the Ontario Road Staging Area to cross Highway 101 under an existing bridge. Within Segment 5, the pathway would extend south along a farm road within a Caltrans easement that is adjacent to the east side of the highway. At the Highway 101 bridge (Bridge No. 49-0014R/L) at SLO Creek, the pathway would go under the highway and connect to the existing Ontario Road Staging Area.

The highway undercrossing would be located near the outer edge of the active SLO Creek channel floodplain (in the second bridge barrel on the north side of the bridges) near the Ontario Road staging area. The undercrossing structure would consist of an at-grade 12-foot wide, 6-

inch thick unreinforced concrete slab in 12-foot long sections abutting the existing concrete structure along the north side of the bridge. The path would be at channel grade, and the slab would be placed on an aggregate base section. A 3-foot (minimum) trench, backfilled with ½ ton grouted rock, would be placed on one or both sides of the concrete slab to minimize scour and undermining of the pathway.

Because the maximum height of the undercrossing at the edge of the trail section is less than 8 feet, signage would be required on the approaches to the undercrossing advising trail users to dismount and walk bicycles.

## **9.2 ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

CEQA Guidelines Section 15126.6(e)(2) requires that the environmentally superior alternative be identified during the alternative process. The alternative that most effectively reduces impacts while meeting project objectives should be considered the “environmentally superior alternative.” In the event that the No Project Alternative is considered the environmentally superior alternative, the EIR should identify an environmentally superior alternative among the other alternatives.

In this EIR, Alternatives 1 and 5 would result in the fewest environmental impacts, although they do not meet any of the project objectives.

As proposed, and with incorporation of recommended mitigation measures, the proposed project reflected in these findings would not result in any significant, unavoidable environmental effects, and would meet project objectives. Alternatives 2, 3, 4 and 6 would meet the project objectives, and would not result in any significant, adverse, and unavoidable (Class I) impacts upon implementation of mitigation measures similar to those identified for the proposed project.

Alternative 2 would provide primarily a Class II and III bicycle corridor that result in a lesser degree of impacts to agricultural resources, biological resources, and hydrology and water quality primarily within Segments 2 through 5; however, this alternative would also result in a greater impacts on aesthetics, geology and soils, hazards and hazardous materials, noise, recreation and parks, and traffic safety than the proposed project. This alternative would not reduce the traffic safety impact identified for the proposed project nor would it meet most of the project objectives.

Alternative 3 would result in fewer impacts on biological resources and would reduce potential conflicts with the County’s Public Improvement Standards; however, this alternative would result in a greater impact on important farmland than the proposed project. Alternative 3 would meet the project objectives.

Alternative 4 would result in fewer impacts on aesthetics, geology, and noise; however, similar to the proposed would also result in greater impacts on biological resources when compared to other alternatives. Alternative 4 would meet the project objectives.

Alternative 6 closely follows the proposed project and incorporates elements from other Alternatives. Alternative 6 would have greater impacts on farmland as compared to the proposed project. Alternative 6 would meet the project objectives.

Based on the DEIR analysis Alternative 6 represents the environmentally superior alternative. As determined from the analysis, Alternative 6 incorporates the environmental benefits of



Alternatives 3 and 4, while further reducing impacts associated with farming conflicts. Alternative 6 also avoids the visual impacts and controversy associated with the Highway 101 overcrossing within Segment 5. Alternative 6 provides a balance in addressing community concerns, meeting project objectives, and minimizing environmental impacts.

As discussed previously in these Findings, the Parks and Recreation Commission recommended for Board approval a variation on Alternative 6 to further avoid potential farming conflicts. The final/recommended project is consistent with the EIR alternatives discussed and is consistent with EIR Alternative 6. The Parks and Recreation Commission recommended project reflects a slight deviation from Alternative 6 alignment in Segment 2. The preferred route would be parallel to the original "dirt access road" alignment of the preferred alternative presented in the DEIR, but offset by approximately 50 feet to the west, along an existing "farm road" at the edge of the farm field. This would allow for the existing bank of willows to act as a buffer between the pathway and the Barron Canyon entrance/Monte Rd. This alignment through Segment 2 would further avoid potential impacts on agricultural operations in the area. Although this alignment would be closer to an identified archeological area (see Appendix T4 of the DEIR), it would still avoid it.

Overall the proposed project meets the project objectives and addresses the comments provided by members of the community.

Based strictly on an analysis of the relative environmental impacts, the recommended project, with adoption and incorporation of recommended mitigation measures, would be the Environmentally Superior Alternative. The decision-making body will consider the whole of the record when considering the approved project including, but not limited to, public comment and testimony related to the size and design of the project. The decision-making body may select the project as proposed, an Alternative, or a specified combination of particular elements identified in the Alternatives, as the approved project. In all scenarios, the Mitigation Monitoring and Reporting Plan (MMRP) would be applied to the approved project.

## 10.0 MITIGATION AND MONITORING PROGRAM

PRC §21081.6 requires the lead agency, when making the findings required by PRC §21081(1)(a), to adopt a reporting or monitoring program for the changes to the project that it has adopted, in order to ensure compliance during project implementation. The County is the lead agency responsible for the adoption of the reporting or monitoring program. A Mitigation Monitoring and Reporting Plan (MMRP) has been prepared that requires the County to monitor mitigation measures designed to reduce or eliminate significant impacts, as well as those mitigation measures designed to further reduce environmental impacts that are less than significant.

The MMRP designates responsibility and anticipated timing for the implementation of mitigation measures within the jurisdiction of the County. Implementation of the mitigation measures specified in the Final EIR and the MMRP will be accomplished through administrative controls over project planning and implementation. Monitoring and enforcement of these measures will be accomplished through verification in periodic Mitigation Monitoring Reports and periodic inspection by appropriate County personnel. The County reserves the right to make amendments to and/or substitutions of mitigation measures if, in the exercise of discretion of the County, it is determined that the amended or substituted mitigation measure will mitigate the identified significant environmental impact to at least the same degree of significance as the original mitigation measure it replaces, or would attain an adopted performance standard for mitigation, and where the amendment or substitution would not result in a new significant impact on the environment that cannot be mitigated.

As lead agency for the Bob Jones Pathway EIR, the County hereby certifies that the MMRP set forth in **Appendix A** of the Final EIR, which has been designed to ensure compliance during construction of the proposed project and includes all of the mitigation measures identified in the Final EIR and adopted and incorporated into the project, is adequate to ensure the implementation of the mitigation measures described herein.